

From: Garrett Phillips [mailto:gphillipswork@gmail.com]
Sent: Monday, August 11, 2008 11:22 PM
To: Info
Subject: Comments on FY 2009 CMAQ Proposed Program

Here are some comments on FY 2009 CMAQ Proposed Projects.

I'm in favor of CTA X9 and CTA X49 funding, and of improvements to the CTA Kedzie/California bus route. I support IGO funding, funding to install and utilize intelligent transportation systems, funding for the I90 corridor, funding for bus rapid transit systems, funding for congestion pricing initiatives, funding to facilitate safe and efficient travel by bicycle and foot. I would like to see more money spent in Cook County. I am against any proposal that would increase air pollution in the long run by easing present congestion and facilitating more auto usage.

-Thank you for the opportunity to comment

Garrett Phillips
1758 N. Whipple
Chicago IL 60647
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**NORTHWEST MUNICIPAL
CONFERENCE**



***Celebrating 50 Years of
Excellence in Local Government Service***

August 25, 2008

Doug Ferguson
Chicago Metropolitan Agency for Planning
233 S. Wacker Drive, Suite 800
Chicago, IL 60606

Dear Mr. Ferguson,

The Northwest Municipal Conference would like to voice its support for the Village of Barrington's North Commuter Parking Structure (PD03093184) proposal for the FY 2009 CMAQ program, and encourages the CMAQ Project Selection Committee to include the project for engineering funds in FY 2009 and construction in FY 2010. We believe this project will mitigate congestion and improve air quality through increased transit usage, and has a demonstrated regional benefit.

The project has applied for CMAQ funding for each of the past three years, ranking at the top of the parking deck category each year. According to the rankings, the project shows significant benefits by scoring below \$900 per kilogram of VOC eliminated each year.

By providing additional parking spaces at the congested Barrington Metra station, the project will benefit current Metra ridership, as well as projected growth tied to Metra's proposed service expansion on the UP-Northwest Line. It also has benefits beyond Barrington, as many residents of surrounding communities currently use the station. Further demonstrating this regional importance, the Northwest Council of Mayors has programmed \$2,500,000 in federal Surface Transportation program (STP) funds for construction of the project in FY 2010, with a request for another \$1,000,000 awaiting the Council's approval. Additional funding will come from the Village of Barrington and possibly Metra.

The Northwest Municipal Conference appreciates the committee's consideration on this matter. Please feel free to contact me should you have any questions regarding the project.

Sincerely,

Michael Walczak
Program Manager for Transportation
Northwest Municipal Conference

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*Affiliate Member



VILLAGE OF BARRINGTON

August 25, 2008

Doug Ferguson
Chicago Metropolitan Agency for Planning
233 S. Wacker Drive, Suite 800
Chicago, IL 60606

Dear Mr. Ferguson,

The Village of Barrington respectfully submits for your consideration during the public comment period for the FY 2009 CMAQ Program our request that further consideration be given to the funding of the Barrington Parking Structure (PD03093184).

While the Village understands that there are many good projects submitted for the Program, we encourage the CMAQ Project Selection Committee to include that project for engineering funds in FY 2009 and construction in FY 2010. The Barrington Parking Structure provides significant regional benefits at a cost below \$900 per kilogram of VOC eliminated each year. In each of the last three years this project has been the highest ranking parking structure submitted, and consistently ranks well when compared to other approved projects.

This project will mitigate congestion by providing additional parking spaces at the already crowded Barrington Metra station, which services the entire Barrington area and other adjacent communities. This project is necessary to meet current demand, as is evidenced by the number of tickets issued to commuters for cars that are illegally parked because no alternatives are available, and by the calls received from commuters who have to travel to a further station or drive to Chicago because their parking needs can not be accommodated in Barrington. As such, this expansion will benefit current Metra ridership and encourage additional transit usage.

Further demonstrating this regional importance, the Northwest Council of Mayors has programmed \$2,500,000 in federal Surface Transportation Program (STP) funds for construction of the project in FY 2010. (STP has recently increased their limit to \$3,500,000 and Barrington is seeking to increase our request for funding, to this new limit). One of the early review comments from the Committee was "unusual CMAQ amount requested." Assuming the Village's request for increased STP funding is fulfilled, this should correspondingly reduce the amount of CMAQ funding required to move this project forward.

In summary, this project (PD03093184) meets each standard measured (dollars per CMAQ goal) and is very competitive in nearly all categories. The cost to create commuter parking in dense urban areas is expensive, and trying to cover this cost through increased user fees will make parking cost-prohibitive from the consumer's perspective (less expensive to drive). Without significant federal funding, there is no way for this type of project, which has a significant positive impact on the environment, to move forward. (Also attached for your reference is my July 16 letter confirming that the Village is committed to covering the remaining cost of the project through a bond issue to be supported by increased parking fees. As such, users of the system will already be expected to pay an increased cost for this expanded service.)

The Village of Barrington appreciates your consideration of this matter. Please feel free to contact me should you have any questions regarding the project.

Sincerely,

Denise Pieroni
Village Manager

cc: Mike Walczak, NWMC
Greg Summers, Director Engineering & Building

VILLAGE HALL
200 S. HOUGH ST.
BARRINGTON, IL 60010
(847) 304-3400

PRESIDENT & BOARD
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VILLAGE OF BARRINGTON

July 16, 2008

Mr. Doug Ferguson
Chicago Metropolitan Agency for Planning
233 South Wacker Drive, Suite 800
Chicago, IL 60606

RE: FY 08 CMAQ Application, Village of Barrington

Dear Mr. Ferguson:

In our CMAQ application submitted in January 2008 for the construction of a 600-space parking deck, we noted that Metra has indicated their support of the project and the Village has requested that they include in their Capital Plan a contribution of \$2.25 million dollars to assist in its funding. However, we would like to update our application to clarify the Village of Barrington's funding options if Metra does not provide the anticipated amounts of contribution.

The Village of Barrington is committed to completing this project and we have identified alternate sources of revenue if Metra is not able to assist with funding for this project. The Village of Barrington is prepared to issue bonds and is prepared to increase commuter parking fees by approximately 50% to cover the debt payments on the bond issue.

If you have any questions, please contact Greg Summers, Director of the Engineering and Building Department, at 847-304-3460, or you may call me at 847-304-3401.

Sincerely,

Denise Pieroni
Village Manager

CC: President and Board of Trustees
Mike Walczak, Northwest Municipal Conference
Dennis Burmeister, Director of Public Works
Greg Summers, Director of Engineering and Building

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CMAQ FY 2009 CMAQ PROJECT APPLICATION FORM

BICYCLE AND PEDESTRIAN FACILITIES

I. PROJECT IDENTIFICATION					
PROJECT SPONSOR Village of Lake in the Hills Parks & Recreation Department			CONTACT INFORMATION – NAME, TITLE, AGENCY, ADDRESS, PHONE, FAX, E-MAIL Trudy Wakeman, CPRP Director of Parks & Recreation Village of Lake in the Hills 600 Harvest Gate Lake in the Hills, IL 60156 Phone: 847.960.7460 Fax: 847.760.7465 twakeman@lith.org		
OTHER AGENCIES PARTICIPATING IN PROJECT None					
TIP PROJECT ID, IF PROJECT IS ALREADY IN FY 07-12 TIP N/A					
II. PROJECT LOCATION Note: Projects not readily identified by location should provide a project title on the last line of the Project Location section					
NAME OF STREET OR FACILITY TO BE IMPROVED Harvest Gate Bike Path			MARKED ROUTE # N/A		
PROJECT LIMITS: NORTH/WEST REFERENCE POINT/CROSS ST/INTERSECTION Heavens Gate Bike Path			MARKED ROUTE # N/A	MUNICIPALITY & COUNTY Village of Lake in the Hills, McHenry County	
PROJECT LIMITS: SOUTH/EAST REFERENCE POINT/CROSS ST/INTERSECTION Harvest Gate and existing bike path			MARKED ROUTE # N/A	MUNICIPALITY & COUNTY Village of Lake in the Hills, McHenry County	
OTHER PROJECT LOCATION INFORMATION OR PROJECT TITLE Harvest Gate Bike Path					
III. PROJECT FINANCING & CMAQ FUNDING REQUEST					
	STARTING YEAR	TOTAL PHASE COSTS (THOUSANDS)	CMAQ FUNDS REQUESTED (THOUSANDS)	OTHER FEDERAL FUNDS List prior CMAQ funding here.	
				FUND TYPE	AMOUNT
ENGINEERING PHASE 1	2009	\$108,500	\$86,800		\$
ENGINEERING PHASE 2	2010	\$50,000	\$40,000		\$
RIGHT-OF-WAY ACQUISITION		\$	\$		\$
CONSTRUCTION (INCLUDING CONST ENG)	2011 or 2012	\$549,125	\$439,300		\$
ENGINEERING (FOR IMPLEMENTATION PROJECTS)		\$	\$		\$
IMPLEMENTATION		\$	\$		\$
ALTERNATIVES ANALYSIS		\$	\$		\$
TOTAL PROJECT COSTS		\$707,625	\$566,100		
SOURCE OF LOCAL MATCHING FUNDS:		Village of Lake in the Hills General Funds			
NOTE: IF SOFT MATCHING FUNDS ARE INTENDED TO BE USED, PLEASE CONTACT CMAP STAFF.					
HAVE THE MATCHING FUNDS BEEN SECURED (PROVIDE DETAILS):					

CMAQ FY 2009 CMAQ PROJECT APPLICATION FORM

BICYCLE AND PEDESTRIAN FACILITIES – PAGE 2

IV. PROJECT EMISSIONS BENEFIT DATA

TYPE OF PROJECT (CHECK PRIMARY USE): ☒ BICYCLE FACILITY ☒ PEDESTRIAN FACILITY

MILES OF EXISTING BICYCLE/PEDESTRIAN FACILITIES INTERSECTING THE PROPOSED FACILITY: **5.92 mi**

IDENTIFY INTERSECTING FACILITIES: 5.92 miles of paved bike path will connect to this path.

Bike path in Ken Carpenter Park (Miller Road and Randall Road) is 0.75 miles and will connect to a 5 mile path on Miller Road. A small path along Harvest Gate will link to the Algonquin Road path.

TRIP ATTRACTORS LINKED DIRECTLY TO THE PROPOSED FACILITY:

Municipal complex – Village of Lake in the Hills Village Hall

Educational building – Lincoln Prairie Elementary School

Restaurants – Arbys, Govnor's Pub, Bakers Square, and Dunkin Donuts

Retail – Costco, Lowes, Verizon, and Athletico

Financial Institutions – Chase Bank, LaSalle Bank

Open Space – Ken Carpenter Park, Village Hall Open Space

V. PROGRAM MANAGEMENT INFORMATION

IS RIGHT-OF-WAY ACQUISITION REQUIRED FOR THIS PROJECT?

☐ YES ☒ NO

IF SO, HAS RIGHT-OF-WAY BEEN ACQUIRED?

☐ YES ☒ NO

INDICATE THE STATUS OF THE PRELIMINARY DESIGN:

☐ N.A. ☒ Not Begun ☐ Underway ☐ Submitted ☐ Approved

ESTIMATED COMPLETION YEAR: **2011 or 2012**

VI. PROJECT DESCRIPTION AND MAP

1. PLEASE DESCRIBE PROJECT. FOR OUTREACH, PROMOTION OR MARKETING EFFORTS GIVE SPECIFIC DETAILS OF THE CAMPAIGN. DESCRIBE THE COORDINATION OF THESE EFFORTS WITH RESPECT TO OTHER SUCH CAMPAIGNS (SEE SECTION I.6 ON PAGE 31 OF THE INSTRUCTIONS):

The project is a 2,800' – 10' wide asphalt bike path that connects the existing path on Harvest Gate with the existing path on Heavens Gate. There are two proposed crossings of Woods Creek. The purpose of the path is to eliminate bike travel along Harvest Gate and encourage non-motorized traffic to visit the nearby retail centers and financial institutions.

Promotions will involve utilizing the Lake in the Hills website to highlight the bike path and various facilities to access. Future plans will include a bike path map with various business promotions incorporated into the map.

2. PROJECT MAP. PLEASE ATTACH A MAP TO THE APPLICATION FORM. INFORMATION MUST BE SUFFICIENT TO ACCURATELY LOCATE THE PROJECT ON A LOCAL STREET MAP. HAND DRAWN MAPS OR MAPS PRODUCED BY GIS SYSTEMS ARE ACCEPTABLE. MAPS FROM TELEPHONE BOOKS WILL NOT BE ACCEPTED.

3. CMAQ FY 2008 PEDESTRIAN FACILITY SUPPLEMENT. IF THE PROPOSED FACILITY IS PRIMARILY A PEDESTRIAN FACILITY, COMPLETE THE PEDESTRIAN FACILITY SUPPLEMENT.

CMAP FY 2009 CMAQ PROJECT SUPPLEMENTARY INFORMATION FOR PEDESTRIAN FACILITY PROJECTS

Project Description: Harvest Gate Bike Path

[illegible]

CMAQ FY 2009 PROJECT SCOPING REPORT

FOR PROPOSED INTERSECTION IMPROVEMENTS, BOTTLENECK ELIMINATIONS, BICYCLE/PEDESTRIAN, AND
COMMUTER PARKING FACILITY PROJECTS
FOR PROJECTS FOR WHICH A PROJECT DEVELOPMENT REPORT IS NOT NOW BEING REVIEWED

PART I. OVERVIEW

COMMON ROUTE NAME: Harvest Gate Bike Path ROUTE MARKING: _____

LIMITS: FROM: Harvest Gate TO: Existing off-street path at heavens gate

COUNTY: McHenry

FIELD/SITE REVIEW DATE: Trudy Wakeman / June 2008

FIELD REVIEW PARTICIPANTS: Trudy L. Wakeman, CPRP; Scott Fish, Contract Inspector

JURISDICTIONS INVOLVED:

Village of Lake in the Hills _____

KEY PEOPLE:

Name Trudy Wakeman Name Scott Fish

Title Director of Parks & Recreation Title Contract Inspector

Phone/fax 847.960.7461 / 847.960.7465 Phone/fax 847.960.7461 / 847.960.7465

PART II. EXISTING CONDITIONS

VERTICAL CLEARANCE RESTRICTIONS (existing profile/overhead structures):

HORIZONTAL RESTRICTIONS (ROW/sidewalks/curb & gutter/buildings):

UNUSUAL SOIL CONDITIONS (CHECK ALL THAT APPLY):

☒ wetlands ☒ cattails in ditches ☐ bogs ☐ dry land bridges ☐ contaminated soil

UTILITIES INVOLVED (CHECK ALL THAT APPLY):

☐ electrical ☐ gas ☐ telephone ☐ cable ☐ sewer ☐ water ☐ pipelines ☐ other

SPECIAL SAFETY CONSIDERATIONS (high accident spots and sections):

CROSSED OR ADJACENT BRIDGES:

- ☐ Applicable (**Complete and include one or more copies of Attachment 1**)
☒ Not Applicable

SIGNALIZED INTERSECTIONS:

- ☐ Applicable: **Complete and include for each intersection:**
- **one copy of Attachment 2**
 - **two Input Module Worksheets (one for current conditions and one for conditions after the proposed project)**
 - **if signals are actuated, the Actuated Controller Properties page of the Input Module Worksheet**
 - **As many Actuated Controller Coordination pages of the Input Module Worksheet as warranted, i.e., based on extended side-street leading left-turn phases**
- ☒ Not Applicable

UNSIGNALIZED INTERSECTIONS NEEDING UPDATE:

- ☐ Applicable: **Complete and include for each intersection:**
- **one copy of Attachment 3**
 - **two Input Module Worksheets (one for current conditions and one for conditions after the proposed project)**
- ☒ Not Applicable

DRAINAGE DATA:

- ☒ **Complete and include one or more copies of Attachment 4**

RAILROADS:

- ☐ Applicable (**Complete and include one or more copies of Attachment 5**)
☒ Not Applicable

PART III. ENVIRONMENTAL AND SPECIAL DATA

Documented (IDNR) or possible wetlands: ☒ Yes ☐ No:

Location(s) Area is designated open space with large brush and tall grasses. There may be possible wetlands or mitigation in the area.

Parks or Forest Preserve: ☒ Yes ☐ No:

Location(s) Open parks space is within the plan area.

4(f) Involvement ☐ Definite ☐ Possible

Cultural resource involvement (check all that apply):

☐ Historic district ☐ Historic structure ☐ Historical marker

☐ Other eligible historic designations ☐ Other cultural resources

Location(s) _____

Adjacent land use (Check all that apply)

☒ Residential ☐ Office/Retail ☐ Schools

☐ Industrial ☒ Park or Forest Preserve ☐ Other Institutional

Hazardous materials (UST, LUST, other hazardous waste sites) ☐ Yes ☐ No

Potential contaminated soils: _____

Local Acceptability *(a federally accepted public involvement program will be prepared during project development)*

Is there local public support, generally? ☒ Yes ☐ No

Has the affected public been involved/informed? ☒ Yes ☐ No

How? Residents of the adjacent residential have been invited to attend a Parks & Recreation Board meeting as well as multiple Village Board meetings to discuss the issues of the potential bike path. Public Information Meetings will be held during the Phase I design.

PART IV. PROPOSED SCOPE OF WORK

Engineering (Enter cost if eligible for federal funding):

Phase I (preliminary design) \$108,500 % complete 0 Months to complete 6

Phase II (plans, specs and estimates) \$50,000 % complete 0 Months to complete 6

Right of way needed: ☒ No ☐ Yes: Estimated cost \$

Utility Relocation ☒ No ☐ Yes: Cost \$

Construction: Cost \$549,125 Months to complete: 8 months Calendar Year 2011

(INCLUDE DETAILED COST ESTIMATE FOR CONSTRUCTION ITEMS ON FOLLOWING PAGE).

Proposed cross section(s)/dimensions (If applicable):

Number of through lanes (Roads):

Pavement width

Shoulder or parkway width:

Median: ☐ None ☐ Raised ☐ Flush ☐ Mixed

Square feet (Parking)

Project Length: 2,800-feet

Check all that apply, and complete number where applicable.

- | | |
|--|---|
| <input type="checkbox"/> Intersection improvements (Number) | <input type="checkbox"/> Bottleneck elimination |
| <input type="checkbox"/> New traffic signals (Number) | <input type="checkbox"/> Traffic signal modernization (Number) |
| <input type="checkbox"/> Signals to be interconnected (Number) | <input type="checkbox"/> Structural improvements |
| <input checked="" type="checkbox"/> Pedestrian/bicycle accommodations (Describe below. Include limits and connecting facilities) | <input type="checkbox"/> Roadside Improvements (Retaining walls, positive barriers, etc.) |
| <input type="checkbox"/> Train Station Improvements | <input type="checkbox"/> New/Relocated Train Station |
| <input type="checkbox"/> Railroad Grade Crossing Improvements | <input type="checkbox"/> ADA Access Improvements |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Commuter Parking (Number of spaces) |

For all items checked above, describe improvements in the space below. Attach additional sheets if necessary.

The proposed bike path will link to existing paths within the community. Those links will include: a municipal complex, educational building, restaurants, retail, financial institutions, and open space areas.

Drainage:

☐ Urban (Enclosed) ☒ Rural (Open)

Is detention required? ☒ No ☐ Yes (If yes, check type below)

☐ In line detention ☐ New outlets (Where?)

☐ Detention basin ☐ Detention off-site

DETAILED ESTIMATE OF CONSTRUCTION COSTS

Item	Description	Unit	Quantity	Unit Price	Total
	Removal & Disposal Unsuitable Material	CY	2,050	\$30.00	\$61,500.00
	Tree Removal	ACRE	1	\$6,000.00	\$6,000.00
	Tree Replacement, 3"	EACH	100	\$600.00	\$60,000.00
	Topsoil,Seed,and Erosion Control Blanket	SY	3600	\$5.00	\$18,000.00
	Perimeter Erosion Barrier	FT	5600	\$5.00	\$28,000.00
	HMA Bike Path, 3" Pvmt w/ 8" Agg. Base	SY	3100	\$35.00	\$108,500.00
	Wetland Mitigation	ACRE	0.75	\$40,000.00	\$30,000.00
	Culvert Crossings	EACH	2	\$35,000.00	\$70,000.00
	Contingency			25%	\$95,500.00
				Subtotal	\$477,500.00
	Phase III Engineering			15%	\$71,625.00
TOTAL COST OF CONSTRUCTION ITEMS					\$549,125.00

ESTIMATES MUST BE BASED UPON QUANTITIES AND UNIT COSTS WHENEVER POSSIBLE.
LUMP SUM AMOUNTS ARE NOT ACCEPTABLE.

ATTACHMENT 4 – DRAINAGE DATA
COMPLETE FOR EACH DRAINAGE BASIS (2 PER PAGE)

Location: Woods Creek

a. Existing drainage type (Open/closed): Open

b. Existing drainage problems: N/A

c. Flood plains (Transverse/longitudinal): Longitudinal - Woods Creek

d. Regulatory (FEMA) Floodways: Yes, along Woods Creek

e. Major drainage structures: Algonquin Road is 1500 feet upstream of one proposed box culvert and 2800 feet upstream of the second proposed box culvert

f. Outfall conditions: N/A

g. Comments (Realignment/cost participation/jurisdictional transfer): N/A

Location: _____

a. Existing drainage type (Open/closed): _____

b. Existing drainage problems: _____

c. Flood plains (Transverse/longitudinal): _____

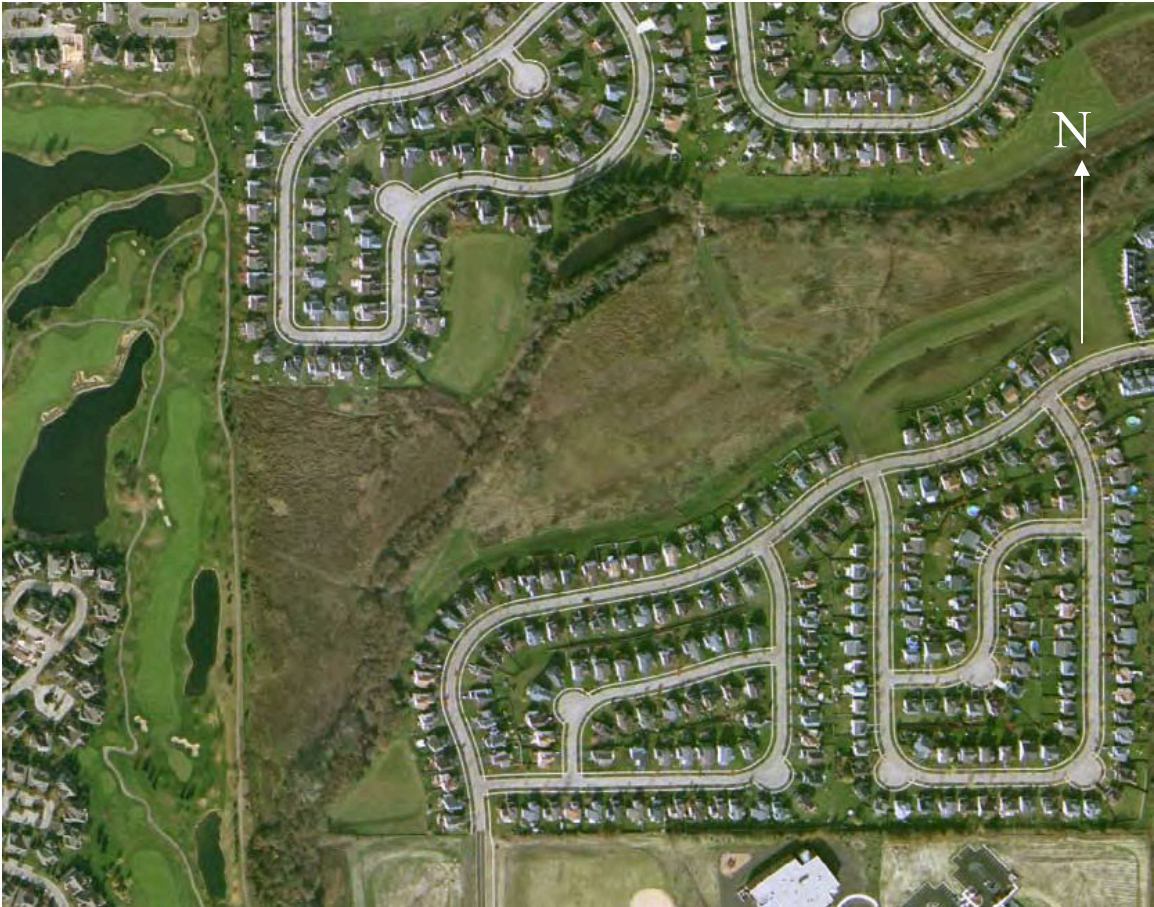
d. Regulatory (FEMA) Floodways: _____

e. Major drainage structures: _____

f. Outfall conditions: _____

g. Comments (Realignment/cost participation/jurisdictional transfer): _____

LOCATION MAP
HARVEST GATE BIKE PATH
VILLAGE OF LAKE IN THE HILLS



August 20, 2008

The Chicago Metropolitan Agency for Planning (CMAP)

Attn: CMAQ Comments

233 S. Wacker Dr., Suite 800

Chicago, IL 60606

CMAQ Project Selection Committee:

Our family loves biking. We take advantage of the many bike paths in McHenry County, particularly Lake in the Hills and Algonquin. While we enjoy using bike paths, we disagree with the proposed bike path on Harvest Gate in Lake in the Hills, Illinois.

Many arguments could be made against this bike path, but the most important is the waste of taxpayer dollars. It is our understanding that CMAQ funds transportation improvements to improve air quality. The Harvest Gate bike path does not accomplish this because there already exists a paved area, uninterrupted by an intersection, on which to ride. Thus, no improvement to current air quality would be achieved.

The proposal estimates a total expenditure of \$707,625 to build a bike path to bypass an estimated 2000 feet of sidewalk/roadway that already connects two branches of the Harvest Gate bike path. (See photo on next page.) Nearly three quarters of a million dollars would be spent to eliminate virtually no Volatile Organic Compounds since the contiguous sidewalk already exists. Nothing is gained. This is fiscally irresponsible. The appropriate alternative to riding on the sidewalk would be a marked bike lane along Harvest Gate with parking restrictions.

There are other areas of McHenry County, Lake in the Hills specifically, that are not connected with existing bike paths. We welcome new bike paths that will connect existing paths to expand the network of bike trails in McHenry County. The Harvest Gate bike path does not expand the current network, nor does it eliminate congestion to improve air quality in the area.

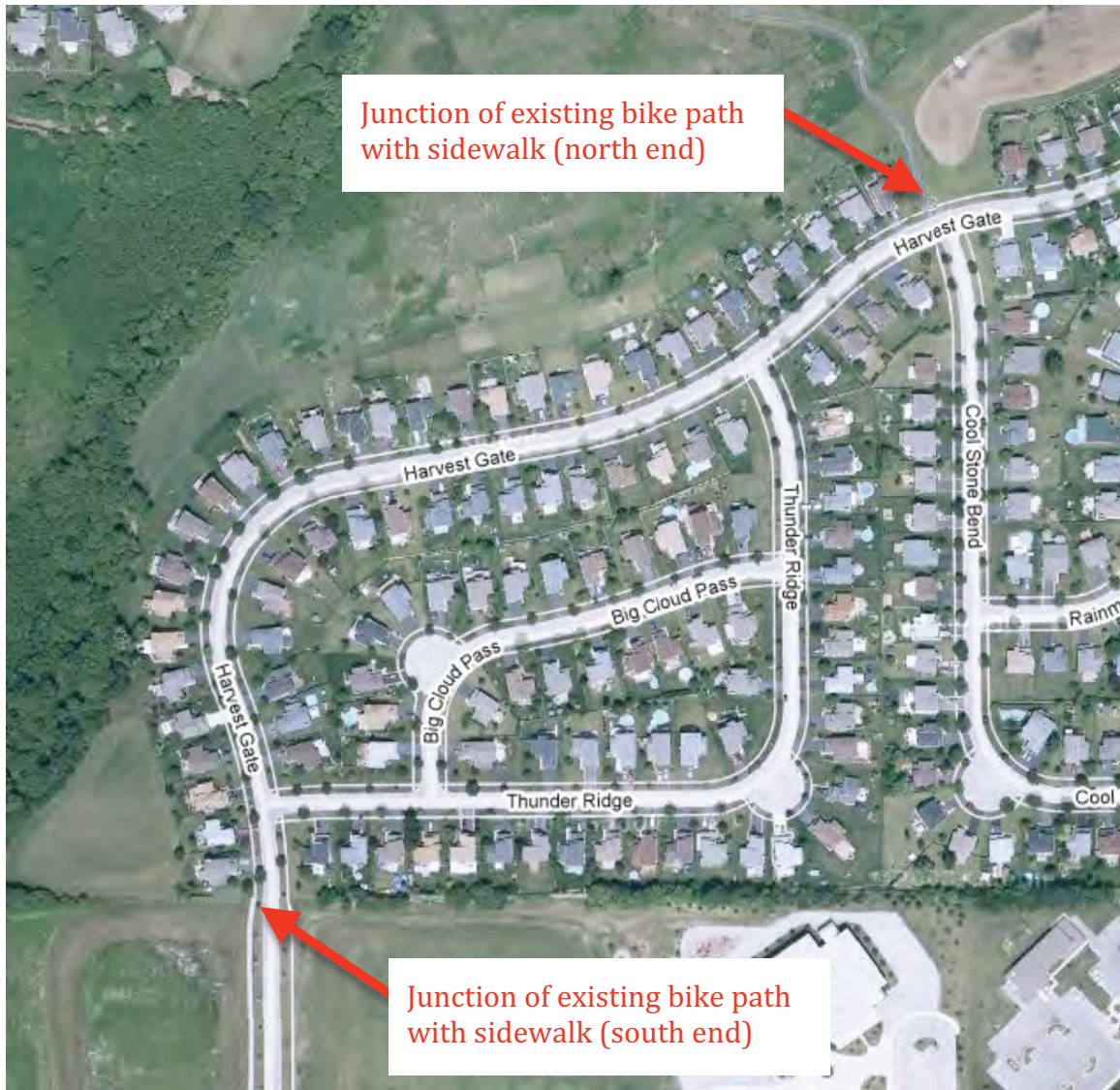
Thank you for your consideration,

Krista and Kevin McDunn

451 Harvest Gate

Lake in the Hills IL 60156

847-854-9858



Note that the proposed \$707,625 bike path segment would closely parallel a continuous existing sidewalk and residential roadway that already adequately connects the existing bike paths without crossing an intersection.

August 19, 2008

Chicago Metropolitan Agency for Planning
CMAQ Project Selection Committee
233 South Wacker Drive, suite 800
Chicago, IL 60606

REF: Project # BP 11093071 Harvest Gate Bike Path

Lake in the Hills, Illinois

Dear Board Member,

We are a group of neighbors whose properties are along the path of this proposed project and oppose the building of this path.

Many of our issues with this project are the obvious; Privacy, noise, property values, trespass, vandalism, to name a few.

With this, we would like to address other issues we , and many of our neighbors have concerns about.

In order to be as succinct as possible, we have included a brief outline of these issues. Some statements have numerical annotations. The numbers refer to same numbered documents or maps contained in the (attached). Appendix.

Statements and quotes marked with an asterisk (*) may be substantiated by official minutes of various village board meetings.

Thank you for your time and efforts.

Contacts: c/o Brennan
449 Harvest Gate
Lake In The Hills, IL 60156
(847) 658-2236

c/o Bailey
461 Harvest Gate
Lake In The hills, IL 60156
(847) 854-6695

Contacts: Holub

453 Harvest gate
Lake In The Hills, IL 60156
(847) 458-7807

Mc Dunn

451 Harvest Gate
Lake In The hills, IL 60156
(847) 854-9856

Szwec

433 Harvest gate
Lake In The hills, IL 60156
(847) 458-9772

Kedrowski

447 Harvest Gate
Lake in The hills, IL 60156
(847) 854-9041

Boberg

443 Harvest gate
Lake In The Hills, IL 60156
(847) 854-4210

Charbonneau

409 Harvest Gate
Lake in The Hills, IL 60156
(847) 854-4744

General Public Awareness

The desirability of a particular project in the eyes of the general public is most often a balance between usefulness and cost to the taxpayer. While the usefulness is subjective, the estimated cost should be as accurate as feasible. Those who are not directly impacted by the project tend to rely on the media for information needed to form an opinion

- In this instance, the Village Board of Trustees voted to apply for this grant on January 22nd of this year. The vote was based on “ requested” funds of \$142,000, “ The village portion not to exceed \$ 30,000”. *
- The application was signed and submitted the next day, January 23rd. The total cost shown as \$ 187,288. (the village portion, approx. \$ 37,458).
- The first newspaper article appeared on January 24th. (1) The article reported the vote and quoted a total cost of \$ 142,000.
- The total cost of \$ 142,000 kept appearing in various newspapers for at least six weeks. (2) The amount was not corrected in the press until after the Village Board meeting - Committee of the Whole of April 8th. During that meeting it was disclosed that even if the path remained on the original alignment, the original cost estimate was grossly understated. (*) In fact, more than four times the cost known to the public (\$ 142,000).

In addition, there is no indication (minutes). That the Board of Trustees were ever apprised of any amount, other then that voted on, January 22nd. (*) By the time the more realistic cost was reported by the press, the public comment period had ended. (3)

We do not believe this lapse in communication was intentional . But, it did occur.

Notification and Public Comment

This process was flawed from the onset. The vote to submit the application was discussed, and passed prior to any notification to the public, including interested parties.

The village board heard arguments and voted to submit the application on the same evening, January 22, 2008. The application was signed and submitted the next day(*)

The first mention of the affirmative vote was in a local paper on January 24th. This was the first most people heard of it.

The Village Parks and Recreation department mailed letters to residents along the planned track on January 31st. The letter did invite resident input. A map attached to the letter depicted a proposed path alignment directly behind our properties. The line showing the path appeared to have been drawn by hand. This map had never appeared before on any village publication or on the official website. The letter stated "Attached is a bike path map that has been approved for over three years."(4 &4A)

During a subsequent meeting of the village Board, The Village official that signed the letter stated; "In 2007, The modification of the bike path on the north side of Woods Creek was moved to the south side, or the Harvest Gate side of Woods Creek."(*)

In fact, the official bike path maps do not depict Woods Creek. Nor are there any records that substantiate that statement. The Bike Path Map on the official web site has always shown the future planned bike path as an arc between Heavens Gate and Harvest Gate. The creek is not shown, however the map has always included a "header". The information included; the name of the engineering firm and a horizontal scale. Using the scale or even with the naked eye , the path was not close to our properties. There are no disclaimers noted on the map or verbiage. This segment of the map has been the same for many years.(5)

More than forty people showed up at the next meeting of the Parks and Recreation Board, most to oppose the path (6). Enough people wanted to speak that the public comment period was cut short because of time constraints.

During the next meeting, people wishing to comment were chided not to repeat any opinion or comment already expressed. During subsequent meetings with the Village Board of Trustees, the same restrictions were applied, plus a time limit per speaker. It seemed that those speaking in favor of the path did not have these restrictions, as there were only three.(*)

Inconsistencies in the Grant Application

- Scoping Report, Part I Overview

This page indicates a Field / Site review is scheduled to be conducted in June, 2008. This was never accomplished. The project sponsor and a village employee (Contract Inspector for public Works), did walk along the original planned alignment. They marked the "path" for various board members to follow, should they wish to inspect. This was accomplished near the beginning of March. The amended application was completed March 17th.

- Part III

The revised application indicates general public support (by marking "yes" in the indicated box). There is no justification for that assertion. Letters, e-mails, spoken comments (board meetings) and petitions indicate a very large difference between those who spoke up against the project, compared to those for it(*). The changed possible alignment has made the trail more tolerable to some residents. But basic opposition to the project has not been withdrawn. In fact, more people have come forward opposing the project including people from an adjacent sub-division.

- Part IV Proposed Scope of Work

The original application indicates the proposed link will connect with existing paths that connect to several institutions and named businesses.(7) All of these named businesses have one thing in common, none connect to a bike path. There are roadways, in some cases, sidewalks. But there are no dedicated bike paths. This portion of the revised application is much less specific, but still incorrect.

Usefulness of the Proposed Path

Harvest Gate (Road) has been designated as an on road bike path for many years. There has never been, in our collective memory, a problem or conflict. as the road is lightly traveled.

The necessity for a parallel off road path is dubious. This route doesn't need a "fix". But if it did, the inexpensive, easy solution would be to limit parking to one side and mark a cycle lane on the other, there is little need for on street parking, this would not be a problem.

The southernmost part of Harvest Gate already has a bike path parallel to and near the curb line. Most bicycle riders do not bother with the path, and stay on the road.

It just does not seem vital to spend this amount of tax dollars to create 30,000 sq.ft. of pavement and lose 30,000 sq.ft. of habitat. This paved trail would be mostly people walking dogs, and a few recreational bike riders.

During a Village Board - Committee of the Whole Meeting, The Village President stated; " that bike paths are not always pretty but do not have a nuisance factor." He also mentioned that if the bike path is more \$200,000 he feels it is a waste of money."(*)

Special Circumstances

Part of the proposed bike path runs adjacent to a family's home that has a four year old Autistic child. He is non-verbal, displays obsessive compulsive behavior and unpredictable behavior patterns. Our main concern is the close proximity of the path to the property line of this family. (8)

The family purchased the home because it contained an open area to which the child can run and play without concern of getting hurt. The child focuses on patterns and lines, also referred to as "stimming". The bike path will present stimuli to which the child will concentrate, running back and forth, back and forth. He cannot comprehend cause and effect and lacks the understanding to avoid oncoming bicycle traffic, which can cause him or others to get hurt.(9)

While some of the proposed alternative routes show the bicycle path away from other property lines, it still indicates the path would pass too close to the home with the Autistic child. This would have a negative impact on the fragile environment of this child, which concerns not only his family, but the entire Harvest Gate community.

Please see photos - Appendix I

APPENDIX I

Numbered supporting documents

Photos

ALgonquin COUNTRYSIDE

24 JAN '08

1

LITH applies for trail grant

By MARCIA SMITH
Contributor

Lake in the Hills will apply for a state grant to build a bike path connecting two existing paths near Heavens Gate and Harvest Gate roads.

The Village Board voted on Jan. 22 to authorize the Parks and Recreation Department to seek the grant for a 2,800-foot path. The path would run parallel to Harvest Gate Road. Open space is on one side the path. Residential backyards are adjacent to the other side of the proposed trail.

The project cost is estimated at \$142,000. If the village receives the grant, the village's share would be

\$30,000, with the state grant covering the balance of the project.

"I am all for it," said Trustee Paul Mulcahy. "People in our community should be able to enjoy that area. It's beautiful there."

Mulcahy acknowledged he is concerned about how residents would react to the proposal. Officials said a similar proposal encountered opposition about 10 years ago.

"We tried this before, but residents were not happy," said Trudy Wakeman, director of Parks and Recreation.

Wakeman about eight homes on the southwest portion of Harvest Gate would be affected.

Because the project appli-

cation was due Friday, the Village Board agreed it should at least try to secure the grant.

"This opportunity kind of snuck up on us," Wakeman said.

Wakeman assured the board that her department would send out letters informing residents of the proposal. The Parks Department will then monitor reaction to the plan and report back to the board if there appears to be a sense of disappointment.

Mulcahy reiterated his overall approval of the plan but made it clear that letters need to go out right away. "I just don't want the residents to think we are being sneaky," he said.

?

\$ 112,000 grant??

Despite opposition, parks board OKs paved pathway

By TIM KANE - tkane@nwherald.com

Comments (4 comments)

LAKE IN THE HILLS — The Parks and Recreation Board unanimously endorsed a plan Thursday night to construct a half-mile stretch of bike path along the rear-lot property lines of about 30 homes on Harvest Gate, raising the life of dozens of residents.

Dan Bonneville, a resident who opposes the path, brought the profiles of 33 sex offenders who live within a five-mile radius of his home that he got from the Internet.

Bonneville said the bike path could bring a criminal element to his own backyard and endanger children in his neighborhood.

"I don't want a bike path by my house," Bonneville said. "I don't need a bike path by my house."

"We're against it for selfish reasons," George Brennan said. "We're worried about property values and privacy. . . . But when we started talking with our neighbors, we found that there were many other concerns, such as with vandalism."

Brennan said he and his neighbors also are worried about the environment; dozens of trees along Woods Creek might have to be cut down to make way for the asphalt path.

The path might disturb the fragile environment of an autistic boy that lives in the neighborhood, Brennan added.

Lloyd Barker said the bike path would be a duplication because it would run parallel to existing sidewalks, making it unnecessary.

"We have to choose what's best for 30,000 people as opposed to 30 people," said Dave Roberts, a member of the parks board. "The discussion tonight [among the Harvest Gate residents] focused on the bike path being the nexus for crime. Bike paths don't function that way. The people using the path are your neighbors, not out-of-town strangers. . . . This bike path would not be something that exists individually. It connects to a much larger world."

Rudy Wakeman, parks director, said soil testing still needed to be conducted to make sure that the area could support a bike path. The engineering would be paid for with grant money.

The village has a grant application pending that would pay for 80 percent of the \$142,000 project. The money would come for the Chicago Metropolitan Agency for Planning through its Congestion Mitigation and Air Quality Improvement Program, officials said.

Trees might have to be removed to make way for the path, Wakeman said, but the village would plant other trees to make up for loss.

Village Trustees would consider the bike-path plan Tuesday and could vote on it Thursday.

"We will mobilize again next week," Barker said.



Todd Bailey walks past his home on Harvest Gate in Lake in the Hills. The Lake in the Hills Parks and Recreation Department is proposing a bicycle path to be added behind homes on Harvest Gate and past Bailey's home. Bailey is concerned that the path could be dangerous for his 4-year-old son with autism. (Sandy Bressner photo)

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Grand Opening



Updated: Friday, April 11, 2008 2:52 AM CDT

FONT SIZE: 

Rerouting proposed bike path would add to cost

By TIM KANE - tkane@nwherald.com
 [Comments](#) (3 comment(s)) | [Add Comments](#)

LAKE IN THE HILLS – Rerouting a proposed bike path to keep it the farthest distance possible from residents' backyards will add about 10 percent to the cost.

Unexpected engineering costs, along with construction of two culverts – bridge-like structures that would allow bikes to cross over Woods Creek – would bring the cost of the half-mile path to \$707,000. The culverts would cost an estimated \$70,000, said Trudy Wakeman, Lake in the Hills director of parks and recreation.

The village has a pending application with the Chicago Metropolitan Agency for Planning that would cover 80 percent of the cost.

Mary Wolski, a resident of the Heavens Gate subdivision, fought against putting the path near her backyard 10 years ago.

"I'm concerned about the safety of children who would ride on the path," Wolski said. "Coyotes run wild through that area. We hear them every night."

Last month, trustees struck a compromise with residents of the nearby Harvest Gate subdivision who didn't want the bike path too close to their backyards. Putting the bike path over the culverts to put maximum distance between the path and any of the residents' backyards was part of that compromise.

"The idea is to have a continuous loop that would connect us to other communities," Village President Ed Plaza said. "This would be a half-mile ride through a beautiful area for the whole village to enjoy."

Last month, the proposed plan showed the bike path running along the south side of Woods Creek near the rear yards of Harvest Gate residents.

A plan that was scuttled a decade ago showed a bike path north of the creek near the rear yards of Heavens Gate residents.

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BLOGS

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Finally, a resolution



Brett Favre finally knows where he'll be playing this season, and the outcome has minimal ripples for the Bears.

» EVERYMOM

Professional comedian, she's not



"Knock, knock."

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Comments

gonecks1 wrote on Apr 11, 2008 9:02 PM:

"Oh yes, the coyotes. Much more easier picking for them then the big park which is within eyesight of the homes.

First concerns sex offenders luring kids from the bike path, and now child hungry coyotes, what is LITH coming to?

Everyone wants more parks, bike paths, etc, until it's near their backyard. SELFISH "

truthzilla wrote on Apr 12, 2008 8:34 PM:

" Unless the kids are walking a pet Chicken on a leash the Cayotes will run away from people. "

truthzilla wrote on Apr 12, 2008 8:35 PM:

" Coyotes...Oops "

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04. 24. 2008

A Pioneer Press Publication

Trail application shows revised plan

By **MARCIA SMITH**
Contributor

Specifications in a grant application for a proposed bicycle path behind Harvest Gate in Lake in the Hills will include the possibility that two bridges will cross a creek.

In addition to the bridges, a revised plan calls for aligning the path farther away from resident property lines.

The revisions, which the Village Board approved April 10, reflect concessions the Village Board made to residents in March when it directed village staff to amend the

original grant application for a new bike path that would run along the back property line of 31 Harvest Gate residents. The proposed path would connect in existing trails near Heaven's Gate and Harvest Gate.

Many residents of Harvest Gate have attended various board meetings to discuss their concerns regarding the path.

The April 8 committee-of-the-whole and April 10 board meetings brought in several of those residents, along with a few Heaven's Gate residents.

"Why not withdraw this grant application alto-

gether and find a project we can all work together on?" Krista McDunn asked.

She also reminded the board that while it may control what community tax dollars are spent on this project, residents' federal tax dollars were going to be used toward this as well.

Since the original application was submitted, staff has found that the path, originally conceived as 8 feet wide, must be 10 feet, with 2 feet on each side.

That means that any bridge constructed for the project must be at least 14 feet wide.

Dave Van Camp of

Smith Engineering reminded the audience that resident participation is not a requirement of the grant, but noted that village staff made efforts to include resident input.

"I want to thank you for looking at alternatives," McDunn said. "I think it goes a long way in showing the community our opinions are being considered."

Where exactly the path would be placed is still not clear. The area must be assessed by many different agencies, including the Army Corps of Engineers and the Illinois Department of Natural Resources.



600 Harvest Gate
Lake in the Hills, IL 60112

(847) 960-7461
Fax: (847) 960-7461
www.lith.org

January 31, 2008

BRENNAN, GEORGE
449 HARVEST GATE
LAKE IN THE HILLS IL 60156-4825

Dear Resident,

The Lake in the Hills Parks & Recreation Department is pursuing expanding the bike path between Heaven's Gate and Harvest Gate. This path would eliminate recreational bikers and walkers from traveling along Harvest Gate. This path would also allow easy access to the path that links to Algonquin Road as well as the businesses along Randall Road. In order for us to continue pursuing a grant for this project, we are requesting resident input.

Attached is the bike path map that has been approved for over three years. This path would run along the creek and meadow area that is just north/west of the property lines of those homes on Harvest Gate. On Thursday, February 7th, the Parks & Recreation Board will be discussing this project. The meeting is held at 7:30 p.m. at the Village Hall. If you cannot attend and wish to give input, please feel free to email me at twakeman@lith.org or contact me on my direct line at 847.960.7461.

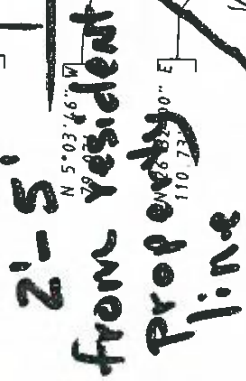
Sincerely,

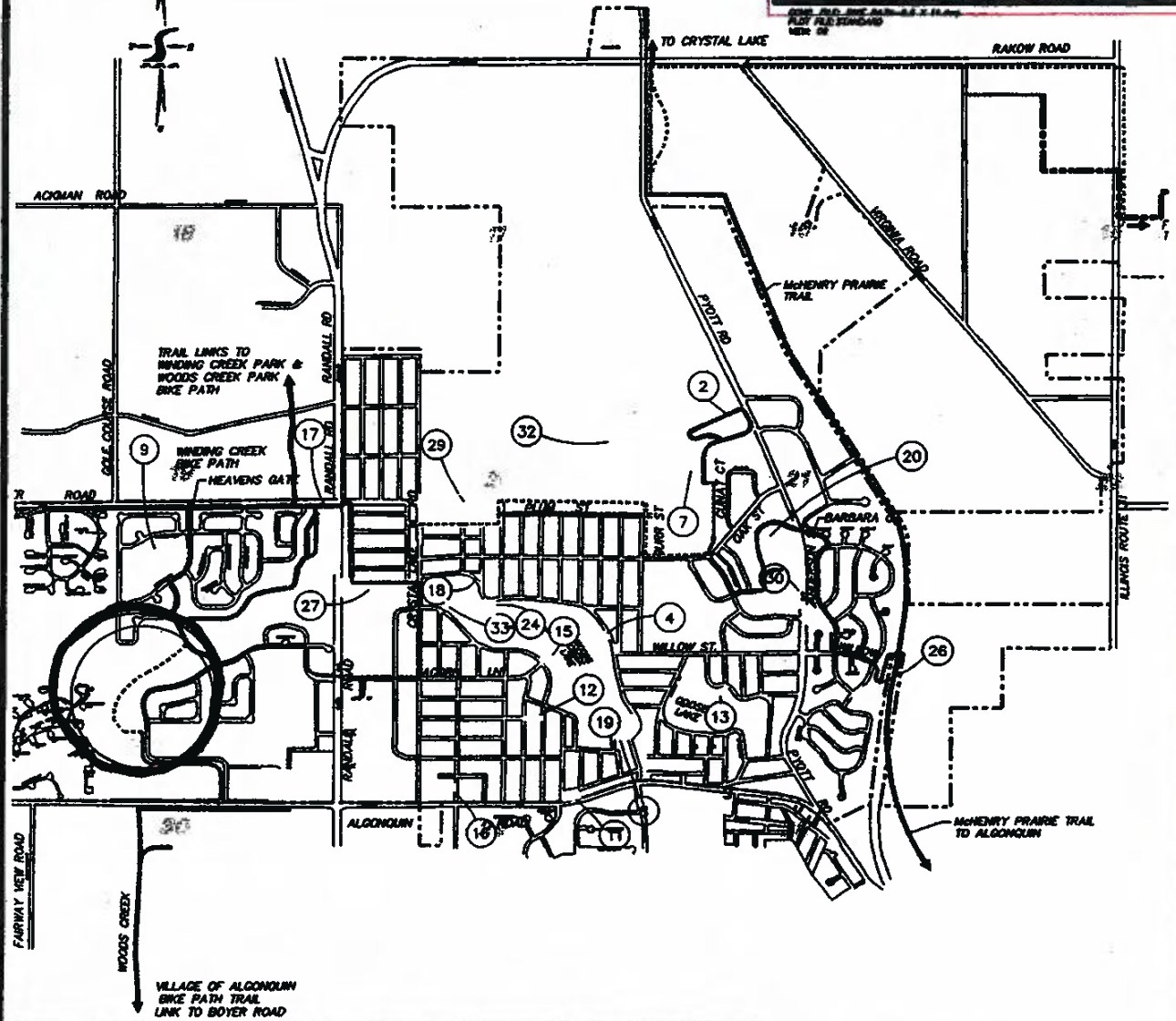
A handwritten signature in cursive script, appearing to read "Twakeman".

Trudy L. Wakeman, CPRP
Director of Parks & Recreation

Attachment

Proposed bike path





LAKE IN THE HILLS PARK LEGEND

- | | |
|------------------------|--|
| 2. Barbara Key Park | 18. Kennedy Triangle |
| 4. Butch Hogebe Beach | 19. Lo Buy Park |
| 7. Dome Hill | 20. Larsen Park |
| 8. Echo Hill Park | 24. Nockels Park |
| 9. Echo Park | 26. Plote Field |
| 11. Ford School Park | 27. Richard Taylor Soccer Field/Skate Park |
| 12. Hipskind Park | 29. Ryder Park |
| 13. Horner Park | 30. Stoneybrook Park |
| 15. Indian Trail Beach | 32. The Fen |
| 16. Jaycee Park | 33. Turtle Island Park |
| 17. Ken Carpenter Park | |

BIKE PATH LEGEND

- EXISTING OFF-STREET BIKE PATH —————
- FUTURE OFF-STREET BIKE PATH - - - - -
- EXISTING ON-STREET BIKE PATH —————
- FUTURE ON-STREET BIKE PATH - - - - -

LAKE IN THE HILLS PARKS / BIKE PATH MAP EAST QUADRANT

DATE	BY	DATE	BY	DATE	BY	DATE	BY
11-11-07	SEC	11-11-07	SEC	11-11-07	SEC	11-11-07	SEC
11-11-07	SEC	11-11-07	SEC	11-11-07	SEC	11-11-07	SEC
11-11-07	SEC	11-11-07	SEC	11-11-07	SEC	11-11-07	SEC
11-11-07	SEC	11-11-07	SEC	11-11-07	SEC	11-11-07	SEC

03.11.08 (

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Updated 3/11: Neighbors speak against Harvest Gate trail

(<http://www.pioneerlocal.com/algonquin/news/836918.al-harvestpath-031108-s1.article>)

March 11, 2008

By MARCIA SMITH

More than 40 residents attended the March 6 meeting of the Lake in the Hills Parks and Recreation Board, with the majority opposing a proposed trail on open land near Harvest Gate.

Lake in the Hills is considering applying for a grant to build a 2,800-foot path to connect two existing trails near Heavens Gate and Harvest Gate roads. The proposed path would run parallel to Harvest Gate, adjacent to several residential backyards.

Liz Wakeman, a former Lake in the Hills trustee, offered the only voice in favor of the proposed path

"We need to move forward and get this accomplished," Wakeman said. "It's a critical part to connect one side of the village with the other."

Some 30 residents whose property lines face the proposed path had different viewpoints.

Some were concerned the proposed trail would attract sex offenders. Police officer Dan Boneville, a Harvest Gate resident noted that 33 registered sex offenders live in the area.

But Parks Board member Dave Roberts disagreed, arguing his research indicates residents will be the primary users.

"Bike paths do not function that way," Roberts said.

Others said they were under the impression the proposed path was an environmentally sensitive area where infrastructure such as the proposed trail would be prohibited.

"We were told this was a protected area," Joan Holub said. "Now you want to put a bike path there?"

Trudy Wakeman, director of Parks and Recreation said asphalt for the proposed trail would be 6-8 inches deep and that any large trees moved for the project would be replaced with three young trees.

Lisa Boberg, a Harvest Gate property owner, stated that the words "bike path" imply a safe area. But she noted the creek behind the neighbors' homes is in disarray, with old fencing and fallen trees.

"If this does go through, which I pray it doesn't, I hope the village installs signs and safety measures for kids," Boberg said.

Trudy Wakeman told the board the first step in the process is receiving the grant. Once the grant money is approved, the village would then determine who has the proper jurisdiction to build the path. The village will not receive notice of the grant award outcome until October or November.

The Lake in the Hills Village Board will discuss the proposed path at a committee-of-the-whole meeting 7:30 p.m. today, as well as 7:30 p.m. Thursday at the regular board meeting. Both meetings will take place at the Village Hall, 600 Harvest Gate, Lake in the Hills.

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7

CMAQ FY 2009 CMAQ PROJECT APPLICATION FORM BICYCLE AND PEDESTRIAN FACILITIES – PAGE 2

IV. PROJECT EMISSIONS BENEFIT DATA

TYPE OF PROJECT (CHECK PRIMARY USE): ☐ BICYCLE FACILITY ☐ PEDESTRIAN FACILITY

MILES OF EXISTING BICYCLE/PEDESTRIAN FACILITIES INTERSECTING THE PROPOSED FACILITY: _____

IDENTIFY INTERSECTING FACILITIES: 5.92 miles of paved bike path will connect to this path.

Bike path in Ken Carpenter Park (Miller Rd. and Randall Road) is .75 mile and will connect to a 5 mile path on Miller Road. A small path along Harvest Gate will link to Algonquin Road path.

TRIP ATTRACTORS LINKED DIRECTLY TO THE PROPOSED FACILITY:

Municipal complex – Village of Lake in the Hills Village Hall

Educational building – Lincoln Prairie Elementary School

Restaurants: Arby's, Govnor's, Bakers Square and Dunkin Donuts

Retail: Costco, Lowes, Verizon, Athletico

Financial Institutions: Chase Bank, LaSalle Bank

Open Space – Ken Carpenter Park, Village Hall Open Space

V. PROGRAM MANAGEMENT INFORMATION

IS RIGHT-OF-WAY ACQUISITION REQUIRED FOR THIS PROJECT?

☐ YES ☐ NO

IF SO, HAS RIGHT-OF-WAY BEEN ACQUIRED?

☐ YES ☐ NO

INDICATE THE STATUS OF THE PRELIMINARY DESIGN:

☐ N.A. ☐ Not Begun ☐ Underway ☐ Submitted ☐ Approved

ESTIMATED COMPLETION YEAR: 2009

VI. PROJECT DESCRIPTION AND MAP

1. PLEASE DESCRIBE PROJECT. FOR OUTREACH, PROMOTION OR MARKETING EFFORTS GIVE SPECIFIC DETAILS OF THE CAMPAIGN. DESCRIBE THE COORDINATION OF THESE EFFORTS WITH RESPECT TO OTHER SUCH CAMPAIGNS (SEE SECTION I.6 ON PAGE 31 OF THE INSTRUCTIONS):

The project is a 2,800' – 8' wide bike path to connect the existing path on Harvest Gate with the existing path at Heaven's Gate. The purpose of the path is to eliminate bike travel along Harvest Gate and encourage non-motorized traffic to visit the nearby retail centers and financial institutions.

Promotions will involve utilizing the Lake in the Hills Village web site to highlight the bike path and various facilities to access. Future plans will include a bike path map with various businesses promotions incorporated into the map.

2. PROJECT MAP. PLEASE ATTACH A MAP TO THE APPLICATION FORM. INFORMATION MUST BE SUFFICIENT TO ACCURATELY LOCATE THE PROJECT ON A LOCAL STREET MAP. HAND DRAWN MAPS OR MAPS PRODUCED BY GIS SYSTEMS ARE ACCEPTABLE. MAPS FROM TELEPHONE BOOKS WILL NOT BE ACCEPTED.
3. CMAQ FY 2008 PEDESTRIAN FACILITY SUPPLEMENT. IF THE PROPOSED FACILITY IS PRIMARILY A PEDESTRIAN FACILITY, COMPLETE THE PEDESTRIAN FACILITY SUPPLEMENT.

DR. STRAUBE AND ASSOCIATES
Counseling and Behavior Therapy
5435 Bull Valley Rd.
Suite 106
McHenry, IL 60050
815-385-5903
Fax 815-385-5612

February 21, 2008

Ms. Trudy Wakeman
Director of Parks and Recreation
600 Harvest Gate
Lake in the Hills, Illinois 60156

Dear Ms. Wakeman,

I am writing this letter in regard to the proposed Harvest Gate bike path and impact it will have on my former patient, Ty Bailey. Ty and his family currently reside at 461 Harvest Gate and have asked that I write a letter on their behalf. The proposed bike path will run vertically to their property line.

Ty is four years old and on the Autism Spectrum. I treated Ty in the Early Intervention program for 1 year. Ty exhibits many characteristics of a child on the spectrum; he is non-verbal, displays obsessive compulsive behaviors, has unpredictable behavior patterns and has difficulty tolerating sudden and unexpected situations and stimuli.

I have several concerns with constructing a bike path so close to Ty's home. Not only do I think it will impact his emotional development but it poses several safety concerns for Ty and others. First, Ty does not understand what many refer to as "stranger danger". He does not have the cognitive capacity to comprehend the harm in approaching strangers or how to communicate that he is at risk of harm from a stranger.

Second, Ty does not comprehend cause and effect. If on the bike path, he would lack the understanding to avoid a runner or biker, possibly causing injury to him and/or others.

I have worked with several families with children on the Autism Spectrum. Every day brings a new set of challenges; with the Bailey's being no exception. I worked with this couple several times a month to help them work through the head banging, endless nights of screaming, and severe behavior problems. Autism can consume the entire family's way of life, including the place to which they live. The location of the home on Harvest Gate was chosen in part to give Ty a safe place in which to be the type of child he needs to be. The front cannot be utilized because of the busy street, but the backyard gives this family the means to be "normal". There are no safety concerns, no fence to climb, no obstacles that inhibit Ty's right to be unrestricted. The

proposed bike path would forever change this.

I appreciate your time in reading this letter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Straube', with a stylized flourish at the end.

Christian Straube, Ph.D.
Lic#180-001146



Alexander Leigh Center for Autism

P. O. Box 388, Cary, Illinois 60013

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Ran Roll
Director

For more information:

Dorie Hoevel
847-770-3699

Kelly Weaver
847-525-6935

February 25, 2008

To Whom It May Concern,

My name is Mandi DeMartini and I am the Behavior Consultant for Ty Bailey, the son of Todd and Kelly Bailey. The Bailey's have brought to my attention that Lake in The Hills has plans to build a bike path around the Bailey's property, which would run only several feet from their property line and Ty's swing set.

This bike path could be very dangerous for Ty. Ty Bailey is a 4 year old who has nonverbal autism. Autism is a disorder that affects the ability to communicate, process language and impairs the ability to understand cause and effect relationships. Ty does not understand danger or have the appropriate social awareness to navigate bikers that will be only steps away from where he plays. It is extremely likely that Ty will run onto the bike path. In the event that this happens he will not understand that he is in danger and get out of the way of the bike, runner, rollerblader, etc. Furthermore, the distractibility of the people and bikes on the path will cause dysregulation, anxiety and nervousness. This will lead to outbursts of behavior and a complete decrease in the quality of life for Ty and the Bailey family.

The Bailey's strongly ask that you take the seriousness of how this bike path will affect Ty's safety into consideration. Not only will this bike path be detrimental to the life of this family, but could prove to be very dangerous to their son.

Thank you for your time.

Mandi DeMartini
Behavior Consultant

KW/DH







APPENDIX II

Petition ; Harvest Gate (copy / already submitted to board)

~~Petition ; Heavens Gate (new)~~

Will be SENT UNDER SEPARATE COVER

February 28, 2008

Parks & Recreation Board & Village Board
600 Harvest Gate
Lake in the Hills, IL 60156

Dear Board Member,

A team of residents engaged with each family directly affected by the recently proposed Harvest Gate bike path in order to understand their position. The goal was to illicit feedback, positive and/or negative.

We were able to obtain all 30 signatures representing each resident along the proposed Harvest Gate bike path. We determined that feedback was negative for every resident along the proposed Harvest Gate bike path. Concerns ranged from the path being to close to property lines to potential criminal activity and loss of privacy.

This attached petition confirms that we, as a neighborhood, are united and unanimously **AGAINST** the construction of this bike path.

In the original letter issued by the Parks & Recreation Board it clearly requests resident input in order to apply for the grant. According to the attached petition, it is clear the residents have spoken.

Based on this position and as our community representatives we kindly ask you to rescind the grant request for a bike path.

Sincerely, *Todd Bailey*, *Lisbeth Bailey*, *Hayder Kedrenski*
Tom Brennan
The Residents of Harvest Gate

Paul I. Sednow

Greg Brennan
Ray J. Cook
Kent H. Holub

Reason Code	Reasons
A	Property Value impact, too close to property lines
B	Safety, loss of privacy, Criminal activity, blind spots and inability to monitor (vandalism, drinking and smoking)
C	Environmental (wildlife, erosion, global warming, removal of trees, destruction of conservation district, increased animal waste and trash)
D	All of the above

House Number	Name	Opposed to bike path	Reason Code	E-Mail Address
401	Ana Maria Buer	Yes	D	JLBREICE@yahoo.com
403	Patricia Muntzing	Yes	D	amstrongfour@comcast.net
405	Krueger, Brenda	Yes	D	Rickville@comcast.net
407	Joanna Heidinger	Yes	D	christina@merlinger.com
415-409	Mr. Thorstensen	Yes	D	MarcusThorstensen@hotmail.com
411	William PELINSKI JR	YES	D	WPFIRE109@COMCAST.NET
413	Michael Winkowski	Yes	D	
415	Michael Winkowski	Yes	D	M15H99@comcast.net
417	Tina Winkowski	Yes	D	TB@comcast.net
419	Bob Winkowski	Yes	D	Bob@comcast.net
421	Bob Winkowski	Yes	D	Bob@comcast.net
423	Bob Winkowski	Yes	D	Bob@comcast.net
425	Bob Winkowski	Yes	D	Bob@comcast.net
427	Bob Winkowski	Yes	D	Bob@comcast.net
429	Bob Winkowski	Yes	D	Bob@comcast.net
431	Bob Winkowski	Yes	D	Bob@comcast.net
433	Bob Winkowski	Yes	D	Bob@comcast.net
435	Bob Winkowski	Yes	D	Bob@comcast.net
437	Bob Winkowski	Yes	D	Bob@comcast.net
439	Bob Winkowski	Yes	D	Bob@comcast.net
441	Bob Winkowski	Yes	D	Bob@comcast.net
443	Bob Winkowski	Yes	D	Bob@comcast.net
445	Bob Winkowski	Yes	D	Bob@comcast.net

[illegible]

Business Development Director
SGS Consumer Testing Services
Mobile: 847 630 4255
larry.liebau@sgs.com

From: Liebau, Larry (Lombard)

Sent: Sunday, March 02, 2008 9:55 AM

To: 'eplaza@lith.org'; 'dwasserman@lith.org'; 'sharlfinger@lith.org'; 'pyensen@lith.org'; 'bogdanowski@lith.org'; 'jmurawski@lith.org'; 'pmulcahy@lith.org'; 'bhuckins@lith.org'; 'twakeman@lith.org'; 'dmurphy@lith.org'; 'dkeacher@lith.org'; 'cneilan@lith.org'; 'dtredore@lith.org'; 'droberts@lith.org'; 'rsloan@lith.org'

Cc: Todd Bailey; 'lboberg@comcast.net'; 'jklholub@comcast.net'; 'GeorgeElke@peoplepc.com'

Subject: Petition - Bike Path behind residences of Harvest Gate

Dear Parks & Recreation and Village Board Members:

The original homeowners located on the north side of Harvest Gate paid Town & Country a premium for the privacy, safety and serenity of the field behind our homes.

In 1998 we became aware of the Village's pursuit to build a bike path north of the creek located directly behind the homeowners of Heaven's Gate.

We understand the homeowners of Heavens Gate fought against the proposed bike path and the path was never built.

It is now surprising to the homeowners on Harvest Gate that approximately 10 years later to receive a letter from the Parks & Recreation Board proposing a bike path immediately adjacent to our property lines on the south side of the creek!

We are deeply disappointed by the Parks & Recreations proposal to conveniently locate the bike path on the open space immediately behind our homes seemingly without giving consideration to homeowner privacy and safety.

The Harvest Gate homeowners are puzzled, there is a lot of space in this field, why put the bike path right next to our homes?

We are further frustrated to see the members of the Parks & Recreation department recently position stakes also immediately behind our homes suggesting their continued pursuit of a convenient bike path, again with the impression of no consideration for homeowner privacy and safety.

We, the Harvest Gate homeowners, who must live everyday next to the bike path, are strongly against the proposed bike path.

We have unanimously confirmed this negative feeling with the signature of each and every Harvest Gate homeowner along the proposed bike path in the attached petition. 30 residents in all! Not a single positive statement.

Thanks in advance for your attention and return written recognition of our concerns.

Best Regards,
Larry Liebau on behalf of the homeowners of Harvest Gate

Mobile: 847 630 4255
larry.liebau@sgs.com

Information in this email and any attachments is confidential and intended solely for the use of the individual(s) to whom it is addressed or otherwise directed. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the Company.

APPENDIX III

Village Board meetings (minutes)



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Committee of the Whole Meeting

January 22, 2008

Call To Order

The meeting was called to order at 7:05 p.m. Present were Trustees Harlfinger, Murawski, Bogdanowski, Huckins, Yensen, and President Plaza. Trustee Mulcahy was present at 7:10 pm.

Also present were Village Administrator Gerald Sagona, Assistant Village Administrator Shannon Andrews, Director of Public Safety James Wales, Public Works Director Fred Mullard, Village Engineer Dave Van Camp, Parks and Rec. Director Trudy Wakeman, Finance Director Pete Stefan, Community Development Director Dan Olson, Village Attorney Michael Smoron and Village Clerk Denise Wasserman Haugk.

President Plaza welcomed Sergeant James Pease and Specialist Shawn Rhoney home from their service in Iraq. He read Proclamations in honor of the soldiers efforts.

Audience Participation:

Administrator:

Raffle License – Lincoln Prairie PTO – presented by Village Administrator Gerald Sagona – the Lincoln Prairie PTO is requesting a raffle license. All provisions of Section 31.02 of the Village Code have been met. The Lincoln Prairie PTO unanimously voted to request a waiver of the fidelity bond requirement associated with the Raffle Application form. Motion was made to place this item on the Village Board Agenda.

Raffle License – St. Margaret Mary Parish – presented by Village Administrator Gerald Sagona – St. Margaret Mary Parish is requesting a raffle license. All provisions of Section 31.02 of the Village Code have been met. The St. Margaret Mary Parish has supplied the fidelity bond requirement with the Raffle Application form. Motion was made to place this item on the Village Board Agenda.

Ordinance – Authorizing an Intergovernmental Agreement for the Purpose of Purchasing Electric Power - presented by Village Administrator Gerald Sagona – In 2006, the Village entered into an intergovernmental agreement that created the Northern Illinois Governmental Electric Cooperative (NIGEC). NIGEC is a consortium of approximately a dozen other local government entities, which have aggregated their buying power in an effort to both reduce its share of upfront administrative costs and ultimately overall power costs through a group purchasing initiative. The ordinance authorizes the re-approval of the Village's existing membership in NIGEC, which would allow the joint power purchasing efforts with other local governments to reduce the Village's electric costs. This would merely continue our existing participation in this cooperative, which has already generated substantial cost savings for the Village. The intergovernmental agreement is administered by representatives of the

entire group and will be authorized to negotiate electric power purchase agreements on behalf of the group. Motion was made to place this item on the Village Board Agenda.

Director of Public Safety:

Community Development:

Ordinance – Amending Section 18.06, Annexation Agreements, of the Municipal Code – presented by Community Development Director Dan Olson – At the October 2007 Strategic Planning Session, discussion took place regarding the various fees charged for construction and development. Areas reviewed were impact fees, filing fees and building permit fees. Information provided at the Session indicated the Village was generally in-line with the fees charged by the municipalities surrounding the Village, however many felt that since we are near build out that the prospects for additional revenues sources is being reduced. Based upon those discussion, a follow-up analysis memo was prepared. At the January 8th, 2008 Committee of the Whole Meeting, the memo was discussed as well as recommendations for increases. The Board was in general agreement to proceed with amendments to increase some of the impact fees, including the transition fee. The proposal is to increase it from \$1500 to \$2000 per dwelling unit. Motion was made to place this item on the Village Board Agenda.

Ordinance – Amending Chapter 23, Subdivision Control Ordinance, of the Municipal Code – presented by Community Development Director Dan Olson – At the October 2007 Strategic Planning Session, discussion took place regarding the various fees charged for construction and development. Areas reviewed were impact fees, filing fees and building permit fees. Information provided at the Session indicated the Village was generally in-line with the fees charged by the municipalities surrounding the Village, however many felt that since we are near build out that the prospects for additional revenues sources is being reduced. Based upon those discussion, a follow-up analysis memo was prepared. At the January 8th, 2008 Committee of the Whole Meeting, the memo was discussed as well as recommendations for increases. The Board was in general agreement to proceed with amendments to increase some of the impact fees. Proposed is an increase in the Lakes/Streams Maintenance fee by one cent per square foot (residential and commercial) as well as an increase in the Public Building and Road Maintenance Fee from \$500 to \$750 per dwelling unit. Motion was made to place this item on the Village Board Agenda.

Ordinance – Amending Exhibit A, Fee Schedule, of Chapter 24 of the Municipal Code – presented by Community Development Director Dan Olson - At the October 2007 Strategic Planning Session, discussion took place regarding the various fees charged for construction and development. Areas reviewed were impact fees, filing fees and building permit fees. Information provided at the Session indicated the Village was generally in-line with the fees charged by the municipalities surrounding the Village, however many felt that since we are near build out that the prospects for additional revenues sources is being reduced. Based upon those discussion, a follow-up analysis memo was prepared. At the January 8th, 2008 Committee of the Whole Meeting, the memo was discussed as well as recommendations for increases. The Board was in general agreement to proceed with amendments to increase some of the building impact fees. Proposed is a modest increase (about 6%) in the fees for new residential construction, additions and remodels are for commercial development. With the past sensitivity to the cost for miscellaneous permits for residents (e.g. fences, decks) we are not proposing an increase in this area. Motion was made to place this item on the Village Board Agenda.

Ordinance – Amending Section 44.01, Zoning and Section 44.03, Reimbursement of Fees, of the Municipal Code – presented by Community Development Director Dan Olson – At the October 2007 Strategic Planning Session, discussion took place regarding the various fees charged for construction and development. Areas reviewed were impact fees, filing fees and building permit fees. Information provided at the Session indicated the Village was generally in-line with the fees charged by the municipalities surrounding the Village, however many felt that since we are near build out that the prospects for additional revenues sources is being reduced. Based upon those discussion, a follow-up analysis memo was prepared. At the January 8th, 2008 Committee of the Whole Meeting, the memo was discussed as well as recommendations for increases. The Board was in general agreement to proceed with an amendment to allow for the reimbursement of staff review time related to the review of applications and plans. This will allow us to clearly account for staff resources spent on these items. Proposed area amendments to the sections in Chapter 44 related to zoning application fees and the reimbursement of fees agreement to accommodate the reimbursement of staff review time. Motion was made to place this item on the Village Board Agenda.

Engineer:

Parks and Recreation:

Agreement – The Congestion Mitigation and Air Quality Improvements Program – presented by Parks and Recreation Director Trudy Wakeman – The Congestion Mitigation and Air Quality Improvements (CMAQ) Program is accepting project application for bike paths for the 2009 fiscal year. The total fund requested on this 80/20 grant is \$142,000. The project application is for the construction of a bike path connecting the Harvest Gate path with the Heaven's Gate Bike Path. The Transportation Control Measure Committal Agreement is required with the project application which is due by February 1, 2008. The Village would be responsible for twenty percent of the cost which will not exceed \$30,000. The board was given a bike path map depicting the requested area. Trustee Mulcahy worried that some residents might not be comfortable with having the bike path created behind their properties. He also suggested that the Village contact both residents on Harvest Gate and Heaven's gate regarding the Parks meeting discussing this item. Motion was made to place this item on the Village Board Agenda.

Public Works:

Contract – Smith Engineering – 2009 Water Main Replacement Program – presented by Public Works Director Fred Mullard – The 2008 Water Operating & Maintenance Budget provides funds for design and engineering services for the 2009 Water Main replacement project. Smith Engineering has submitted a task order for these services in the amount of \$110,000.00. The task order includes a proposed alteration to the current water main replacement schedule, due to infrastructure failures experienced in the Trees Subdivision during Fiscal Year 2007. When water main breaks occur in this area, the poor condition and limited number of isolation valves necessitates a much larger service interruption. This causes undue hardship to local residents. This change is not expected to adversely affect the budget since each annual installment of the water main replacement schedule is designed to be comparable to each other in terms of size and complexity. A copy of the task order was given to the Board for consideration along with a map of the proposed water main replacement schedule changes. A representative from Smith Engineering is in attendance tonight should the Board have any questions. Motion was made to place this item on the Village Board Agenda.

Contract – Hanson Professional Services, Inc. – Airport Engineering Services – presented by Public Works Director Fred Mullard – The 2008 Basis of Payment Schedule for Hanson Professional Services,

Inc. establishes rates for consulting services and serves as a change to the retainer agreement with Hanson Professional Services, which was approved the Village Board of Trustees on February 24, 2005. Hansen charges the same rates to all clients. All rates are for the work requested by the Village, and do not include grand funded improvement projects, which are negotiated and approved separately by IDOT. Motion was made to place this item on the Village Board Agenda.

Contract – Baxter & Woodman, Inc. – Professional Engineering Services - presented by Public Works Director Fred Mullard – The Master Contract between the Village of Lake in the Hills and Baxter & Woodman, Inc. serves as a base document for all water-related engineering services provided by the Village. There are no changes to the existing agreement other than the billing rates which have slightly increased. A copy of the 2008 Professional Engineering Services agreement was given to the Board for review and consideration. Carolyn Grieves of Baxter & Woodman, Inc. is present to answer any questions. Motion was made to place this item on the Village Board Agenda.

Contract – Baxter & Woodman, Inc. – Repainting of Tower No. 3 - presented by Public Works Director Fred Mullard – As part of the ongoing maintenance of the Village's water system, Baxter & Woodman, Inc. has submitted a task order to repaint Tower 3, which is located at the Public Works facility. The project involves minor repairs, surface preparation, painting and application of the Village logo. Baxter & Woodman's task order is for contract administration and construction inspection. Carolyn Grieves of Baxter & Woodman, Inc. is present to answer any questions. The total cost of Baxter & Woodman Inc.'s services is \$7,500.00. Motion was made to place this item on the Village Board Agenda.

Contract – Baxter & Woodman, Inc. – Well No. 14 Improvements - presented by Public Works Director Fred Mullard – Baxter & Woodman, Inc., has submitted a task order to make improvements at Well 14. The work includes preparation of plans, specifications, and permit applications, as well as assisting the Village in the bidding process for the project. The purpose of this task order is to design improvements to the pre-treatment process and HVAC system to reduce the adverse effects to hydrogen sulfide gas that has been the primary cause of pipe corrosion on the interior of the facility. The total cost of engineering and construction for this project is not expected to exceed budget figures. However, the individual line item for this task order will be amended to accommodate the increase for the engineering aspect of the project. Carolyn Grieves of Baxter & Woodman, Inc. is in attendance to answer any questions. The total cost of Baxter & Woodman Inc.'s services is \$13,150.00. Motion was made to place this item on the Village Board Agenda.

Contract – Baxter & Woodman, Inc. – Well No. 17 Water Supply Exploration – presented by Public Works Director Fred Mullard – Public Works has a commitment to maintain and improve water quality throughout the Village. Baxter & Woodman, Inc. has submitted a task order to drill near Well 15 to investigate shallow aquifers. The work includes coordinating the drilling process, analyzing all the data, and providing Public Works with a comprehensive report. The purpose of this is to investigate shallow aquifers in preparation of a permanent well. Carolyn Grieves of Baxter & Woodman, Inc. is in attendance to answer any questions. The total cost of Baxter and Woodman, Inc.'s services is \$15,500.00. Motion was made to place this item on the Village Board Agenda.

Payment Request – JETCO, Inc. – Repainting of Tower No. 1 – presented by Public Works Director Fred Mullard – On September 14, 2006 the Board awarded a contract to JEDTCO Ltd. to repaint Tower 1 at a cost of \$219,8600.00. JETCO Ltd. has completed all of the contracted work and is requesting

final payment in the amount of \$30,986.00, which includes release of all retainage. Payroll documentation is on file. Copies of the final lien waiver were given to the Board for consideration. Motion was made to place this item on the Village Board Agenda.

Payment Request/Change Order – Arrow Road Construction – 2007 MFT Road Program - presented by Publics Work Director Fred Mullard – The 2007 MFT Road Resurfacing Project was awarded to Arrow Road Construction on May 24, 2007 for \$493,619.70. Arrow Road Construction Co. is requesting Progress Payment 3 (final) in the amount of \$22,296.38. Arrow Road Construction Co. is also submitting Change Order 1 for a credit the amount of -\$47,692.04 for balancing quantities to the contract. The Public Works Department supports the progress payment and change order. Payroll documentation is on file. Copies of the pay request, waivers, resolution, IDOT forms and recommendation were given to the Board for review and consideration. Motion was made to place this item on the Village Board Agenda.

Ordinance – Surplus of Village Property- presented by Publics Work Director Fred Mullard – The Illinois Municipal Code requires adoption of a formal ordinance to dispose of surplus Village property. To allow for their disposal or sale, the Ordinance declares seven Model 90 traffic counters surplus, as detailed in Exhibit A. The Village currently has nine Model NC-97 traffic counters that are compatible with the updated software. The Village has budgeted to purchase three additional counters in FY08 to allow a twelve lane intersection traffic study. The Village will receive \$100 credit for each counter returned when purchasing a new traffic counter. Motion was made to place this item on the Village Board Agenda.

Purchase – Monroe Truck Equipment – Two Dump Bodies with Plow and Deicing Equipment – presented by Publics Work Director Fred Mullard – The State of Illinois offers the opportunity for local governmental bodies to purchase equipment through the Fleet Sales Program. As part of this program, the State creates specifications and solicits competitive bids for a variety of equipment. As a part of a cooperative purchasing plan, the purchase is exempt from the normal bidding process by Section 9.13 of the Municipal Code. The low bidder for the requested dumb bodies with plow and deicing equipment is Monroe Truck from Monroe, Wisconsin in the amount of \$73,986.00. The cab and chassis for the dump bodies were purchased under a separate State contract. The dump bodies, plow, and deicing equipment were approved in the 2008 budget. A detailed listing of the equipment was given to the Board for review and consideration. Motion was made to place this item on the Village Board Agenda.

Purchase - Cargill, Inc. – Fiscal Year 2008 Bulk Softener Salt - presented by Publics Work Director Fred Mullard – The Village has three ion exchange water treatment facilities that soften the water to remove barium. Bulk rock salt is offered by two vendors in the regional area; Cargill Inc. and the North American Salt Company. According to surrounding municipalities, the bulk rock salt product provided by North American contains excessive impurities such as sand particles and dirt. Such impurities could potentially damage the existing brine feed equipment. Therefore, the Public Works Department recommends using the bulk rock salt provided by Cargill Inc. The Village is familiar with Cargill's softner salt and has not noticed excessive impurities. The cost is based on an estimated 1,241 tons at a total price of \$124,100.00. The softner salt will be purchased, as needed, throughout 2008. A copy of the 2008 quotation for this product was given to the Board for review and consideration. Motion was made to place this item on the Village Board Agenda.

Airport – T-Hangar Space Leases – ET-08 (Blue Skies Flying Services) WT-11 (Bill Welisek) and WT-17 (Thomas Reindl) – presented by Publics Work Director Fred Mullard – The Lake in the Hills Airport Rules and Regulations require airport tenants to enter into applicable leases, licenses or storage agreements. There are three tenants entering into a yearly renewal of their T-Hangar Space Lease and have signed the appropriate lease document. Motion was made to place this item on the Village Board Agenda.

Finance Director:

Organizations and Developers:

Board of Trustees:

Trustee Harlfinger – **Planning and Zoning Commission Liaison Report** – Discussed the property on Pyott and Rakow (off of Jennings Drive).

Trustee Huckins – **Community Advisory Council for Randall Road Liaison Report** – Attended the Cheswick Place park meeting. Good residential turn-out. He also attended the McHenry Cty Transportation Mtg.

Trustee Yensen – **McHenry County Transportation Liaison Report** – For discussion at the January 19, 2008 meeting: Presentation regarding pavement marking for Algonquin Road; Widening of Harmony Road and U.S. Route 20; Resolutions for engineering services and appropriating of funds for the several bridges in the county; Resolution adopting McHenry County Snow Removal and Ice Control Policy; RFQ for the U.S. Harmony Road/U.S. 20 Road; Updates on Rakow Road and Phase two of Algonquin Road to Rt. 47.

Trustee Bogdanowski – **Business Relations Committee Liaison Report** – The group discussed the final plans for the Business Enhancement seminars. Discussion also took place regarding the Summer Sunset Business Expo. The Gordon Larsen Business Achievement Award will be discussed at the next meeting.

Trustee Joe Murawski – **Senior Liaison Report** -

Trustee Paul Mulcahy - **Parks and Recreation Board Liaison Report** – Briefly discussed that area on Algonquin Road by Pyott regarding redevelopment and creation of park.

President:

Trustee Mulcahy celebrated his 56th birthday On Jan. 21st.

Audience Participation:

Adjournment: There being no further business to discuss, the Committee of the Whole meeting was adjourned at 7:51 p.m.

Submitted by,

Denise Wasserman Haugk
Village Clerk

Village of Lake in the Hills Committee of the Whole Meeting
January 22, 2008

VILLAGE OF LAKE IN THE HILLS
PARKS & RECREATION BOARD MEETING
March 6, 2008

The Parks & Recreation Board meeting was called to order at 7:31 p.m. at Village Hall, Lake in the Hills. Those present were Chair Koch, Vice Chair Tredore, Members Dave Roberts, Don Keacher, and Diane Murphy. Also present were Director Wakeman, Superintendent of Public Properties Scott Parchutz, Superintendent of Recreation Andrew Gemmell, Recreation Supervisor Trevor Bosack, and Trustee Mulcahy. Absent from the meeting was Member Sloan.

APPROVAL OF MINUTES

A motion to approve the minutes of the Parks & Recreation Board Meeting of February 7, 2008, was made by Member Roberts and seconded by Member Murphy. The motion was approved by a vote of 5-0.

AUDIENCE PARTICIPATION

Liz Wakeman, 6 Featherstone Ct, hoped that the Board would move forward on the bike path link on Harvest Gate and for Cheswick Place Park she would like to see swings as part of the amenities for the park.

Dan Bonneville, 445 Harvest Gate, contacted LITH PD, Algonquin PD, and CLPD regarding code calls on the bike paths. He was informed that MCCD takes the calls on paths. He contacted the Algonquin Fire Department and found out about three small fires that had been started along the path. He also researched the Illinois State Police website to find out that there are 33 registered sex offenders in a five mile radius of his home. He stated that he does not want the bike path behind his home.

Lisa Boberg, 443 Harvest Gate, has a 6 year old and a 10 year old who know that they are not allowed by the creek. Along the creek the trees are fragile. Doesn't feel it is safe and would like to see signs. She stated that a child has fallen in the creek. What type of safety measures will be taken? She stated that by paving their paradise, they would get to go to a parking lot.

Paul Kedrowski, 447 Harvest Gate, a resident since 1994, questioned why the trees were coming down at the creek and why no engineering survey has been done. He stated that he had spoken with SEC and the Army Corp of Engineers and each had different answers to his questions. He stated he is confused and wants answers.

Kelly Bailey, 461 Harvest Gate, stated that she has an autistic son and feels that putting in the path would be detrimental to him. She's concerned that it would decrease his quality of life.

Brad Appier, 459 Harvest Gate, stated that there are streets and sidewalks to get around the Village. He stated that the Village should take the money for the path and install cameras along the existing paths monitoring for public safety. He expressed that he did not want the Village to proceed with the path.

Todd Hensen, 423 Harvest Gate, questioned whether there was a plan in place to maintain the path over the next five years.

Joan stated that she would have faith in a plan of this nature if things were being taken care of. The creek area is not being cleaned up. A father and son who went exploring came across broken fencing and barbed wire. She stated that the area is not being maintained.

OLD BUSINESS

Park Stewardship Update

Vice Chair Tredore noted that someone should look at the gutters on the concession stand at Sunset Park. Member Roberts expressed his concerns about the entryway to the Dog Park and the issue with mud. Member Keacher noticed that some of the windows at the LaBahn-Hain House are not caulked.

Harvest Gate Bike Path

Director Wakeman stated that when staff applied for funding for the path, the engineer gave an estimate on the length of the bike path. She stated she found no indication that the area is considered jurisdictional by the Army Corps of Engineers. She stated that the McHenry County Storm water Committee (MCSC) designated the area as Advanced Identification of High Habitat Value. She explained that if the Village did receive the funding, the Village would then have the area surveyed by Smith Engineering (SEC) and at that time, would determine if the area is suitable for a bike path. Director Wakeman informed the audience that the Parks & Recreation Department is a recommending body to the Village Board and at the Committee of the Whole meeting on Tuesday, March 11, 2008, the recommendation will be voted on. If it passes, we would move forward with the process. If it does not pass, it will be removed from the path plans.

Member Roberts addressed the audience by letting them know that the Board is listening to them and that we do hear you. He stated that some of the items that are consistently brought up regarding the bike path are crime, vandalism, privacy issues, and decreasing property values. Member Roberts explained that he did some online research for information of path systems and the effects they have on communities. He found that burglary and vandalism did not increase as a result of the path. Paths provide safety to children. There are high numbers of car and bike incidents. As far as property values, homes near trails sold for 90% more than homes without a path near the property and also sold quicker. Member Murphy questioned whether the path could be closer to the creek. She stated that it's staked close to the lot lines. Director Wakeman said that it was a possibility. We would need to check to see if the trees are supporting the creek. Member Roberts made a recommendation to proceed with the Harvest Gate bike path link. Member Keacher seconded the recommendation. The recommendation was approved by a unanimous vote.

Cheswick Place Park Amenities

Chair Koch removed herself from this portion of the meeting due to a conflict of interest. Director Wakeman explained that the site map determined where all the items would be placed with a section that could be added later. She presented the playground choices to the Board and the audience. The Board discussed the various options and based on the \$20,000 budget the following items were selected: The Pointe Rock Climber from NuToys, Junior Spica and Supernova from Kompan, Hollow Log Crawl and three Stepping Stones from Recreation Concepts totaling \$18,475. Member Roberts made a motion to accept the layout and site amenities for Cheswick Place Park. Member Murphy seconded the motion. The motion was approved by a vote of 4-0.

NEW BUSINESS

None.

STAFF REPORTS

Director Wakeman presented her monthly report highlighting NISRA's Annual Budget, playground standards, non-resident use of the lake and Village wide recycling. Superintendent Parchutz presented his monthly report. Superintendent Gemmell presented his monthly report highlighting the summer brochure, Playschool Academy, and Daddy Daughter Date Night. Recreation Supervisor

Trevor Bosack presented his monthly report highlighting the senior's casino trip and the AARP tax preparation program for seniors.

TRUSTEE LIAISON REPORT

Trustee Mulcahy commented that the Village is a better place today because of decisions that were made by the Village Board and were met by opposition. He commended the Board on their decision on the Harvest Gate bike path and Member Robert's speech to the residents.

MEMBER COMMENTS

Chair Koch stated that the Board has had to make some tough decisions that are right for the entire community. She also thanked Member Roberts for his research on bike paths.

AUDIENCE PARTICIPATION

Liz Wakeman, 6 Featherstone Ct, thanked the Board for making the right decision on the bike path. She stated that it was the right decision for the entire community.

ADJOURNMENT

Vice Chair Tredore made a motion to adjourn the meeting. Member Keacher seconded the motion. The motion was approved by a vote of 5-0. The meeting adjourned at 9:15p.m.

Submitted by,

Patricia Loesch
Recording Secretary



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Committee of the Whole Meeting 2008

March 11,

Call To Order

The meeting was called to order at 7:35 p.m. Present were Trustees Harlfinger, Murawski, Bogdanowski, Mulcahy, Huckins, Yensen, and President Plaza.

Also present were Village Administrator Gerald Sagona, Director of Public Safety James Wales, Airport Manager Dave Gregoria, Village Engineer Dave Van Camp, Parks and Rec. Director Trudy Wakeman, Finance Director Pete Stefan, Community Development Director Dan Olson, Village Attorney Jennifer Gibson and Village Clerk Denise Wasserman Haugk.

Audience Participation:

President Plaza gave a brief overview of how the Committee of the Whole meeting runs.

Dennis Hill – Trinity Commons Condominium Association – He is here to discuss the dumpster enclosures ordinance. He is seeking a variance to remove the gates from the dumpster ordinance, they are causing a problem. He mentions there are no residences around his association. President Plaza mentioned that this is the first time he's seen this. Administrator Sagona stated he was discussing this earlier with staff. Mr. Hill has spoken with Dave Sellek, the Village inspector. The Village's opinion is that it gave businesses plenty of time to come into compliance. According to Mr. Olson the reason for the gate on the fourth side is to cover the dumpster (aesthetic purposes). Trustee Bogdanowski mentioned that his place of business faced a similar problem. He mentioned that though each business has its own contract with ARC, the Village might be able to step in to talk with ARC since the Village has the overall contract with ARC. Mr. Sagona will speak with ARC tomorrow.

Joseph Zuniga – tenant in Trinity Commons Condominium Association – the owners of the businesses are concerned with the clean up of the area. He also spoke on regards to having the gates removed from one side of the dumpster area.

Danny Bonneville – 445 Harvest Gate – He would like to clarify comments made by Dave Roberts at the last P&R meeting (3/6/08). Mr. Roberts stated that it is illegal to ride in sidewalks. According to the Illinois Municipal Code, Mr. Boneville claims that unless it is posted that it is illegal to ride a bike on the sidewalk it is not. He looked through the Village Ordinances and could not find anything in writing. Secondly, Mr. Roberts stated that it was his neighbors using the path. Yet Mr. Bonneville claims that he and his 30 neighbors are against the path. He also states that using Harvest Gate and the sidewalk for the path is not a hazard.

Krista McDunn – 451 Harvest Gate – She passed out a document. She does like bath paths, however she feels that this particular path is unnecessary and a waste of taxpayer money. She spoke about issues of corrosion in the area both during and after construction of the possible path. She concluded with possible suggestion as to the development of other bike path options.

Larry Lebow – 435 Harvest Gate – He spoke about possible alternative to the proposed bike path. He brought in a map of proposed/alternate bike paths. The path would be running through the prairie area, however moving a bit further from the homes, thus rendering a solution for the privacy issue.

Chris Henrich – 4217 Springlake Drive – He would like the Village to pass the ordinance to apply for the grant. He is an avid cyclist who rides through the area. He believes this is a good idea/ or alternative and he would like to see the Village continue with its grant process.

Bradley Appier - 459 Harvest Gate – He would like to proceed with the grant process and have the engineering be studied. He would like all entities involved to take a look at the area. He asks the Board to go sit in the area for a few hours to look at the spectacular scene. He would like the grant process to go forward, and he would like to see further discussion take place as the studies may move forward.

Trustee Yensen had a few words regarding the environmental impact of the proposed path. She is very passionate that the Village has worked diligently to grow our open space area.

Liz Wakeman – 6 Featherstone Court – She wanted to recognize the Parks and Rec Board for their courage to make the decision to move forward on the grant. When she bought her first home in Lake in the Hills (Big Cloud Pass) the marketing materials from the builder included the bike path. It was a huge positive for her. She feels the environment is a beautiful sanctuary that should be accessible for all. She is in favor of a possible alternative to the path and feels the grant process should move forward. Ms. Wakeman also made mention of her new neighbors and there willingness for amenities in their neighborhood and she asks the Village to keep future park upgrades for Cheswick Park in mind.

Paul Kedrowski - 447 Harvest Gate – He has sent various e-mails to the Board. He mentioned the original marketing materials from the builder that states about the open space and walking paths accessible to all. He feels that what was in his brochures is currently offered and he is not in favor of the bike path.

Administrator:

Raffle License – Lake in the Hills/Algonquin Falcons Youth Football – presented by Village Administrator Gerald Sagona – The Lake in the Hills/Algonquin Falcons Youth Football Organization is requesting a raffle license. All provisions of Section 31.02 of the Village Code have been met. The Lake in the Hills/Algonquin Falcons Youth Football Organization unanimously voted to request a waiver of the fidelity bond requirement associated with the Raffle Application form. Motion was made to place this item on the Village Board Agenda.

Raffle License – Woodstock Christian Life Services - – presented by Village Administrator Gerald Sagona – The Woodstock Christian Life Services is requesting a raffle license. All provisions of the Section

31.02 of the Village Code have been met. The Woodstock Christian Life Services is requesting waiver of the fidelity bond requirement associated with the Raffle Application form. Motion was made to place this item on the Village Board Agenda.

Ordinance – Amending Section 33.08B of the Municipal Code – presented by Village Administrator Gerald Sagona – Mr. Patrick Boghra is requesting a change in the ordinance amending Section 33.08B of the Municipal Code to operate a convenience type store located at 4581 Princeton Lane. All provisions of Chapter 33 have been met. Trustee Mulcahy wondered about the original agreement for the property. There is no conflict with the current restrictions. Motion was made to place this item on the Village Board Agenda.

Director of Public Safety:

Community Development:

Ordinance – Zoning Map Amendment – Lot 1 and part of Lot2, Wonder Industrial Complex Subdivision – presented by Community Development Director Dan Olson – The applicant, Jeff Goble of Charles River Development, on behalf of the property owner, Fred Dickman, is requesting a zoning map amendment to change the zoning classification for Lot 1 and part of Lot 2 of the Wonder Industrial Complex Subdivision from M-1 Limited Manufacturing District to B-4 Commercial Business District. The owner proposes to redevelop the site with a single story multi-tenant commercial building. Lot 1 is currently vacant. The Planning and Zoning Commission conducted a public hearing on January 14, 2008, and recommended approval 6 – 0 (Commissioner Stroud was absent) of the zoning change. There were no objectors at the meeting.

Ordinance – Conditional Use Permit – Lots 1, 2 and 3 of the Wonder Industrial Complex Subdivision — presented by Community Development Director Dan Olson – The property owner, Fred Dickman, proposes to build a 10,800 square foot single-story multi-tenant retail building on a reconfigured Lot 1 of the Wonder Industrial Complex Subdivision at the northwest corner of Rakow and Pyott Roads, off the private Jennings Drive. Such a development combined with the existing building on Lots 2 and 3 would require some variations from the Zoning Ordinance. Over the years the county has taken property from Lot 1 for road widening and has plans to take more in the near future, presenting challenges to the development of the vacant lot. The Planning and Zoning Commission heard testimony and reviewed the proposed zoning change, Planned Development and Development Plan, and Final Plat at a public hearing on January 14, 2008 and continued on February 19, 2008. At its January meeting, the Commission was displeased with the number of exceptions to the Zoning Ordinance and was uncertain how future development would blend with the proposed new building on Lot 1. The Commission voted to continue the hearing and asked the applicant to come back with an overall phased development plan for all three lots. In February, the applicant presented a couple of different scenarios for future development, neither of which provided adequate parking for the proposed building sizes. Commissioners expressed concern with the parking in the Jennings front yard due to potential vehicle conflicts with cars accessing the site. The applicant (not the owner) agreed to remove the 4 parking spaces in the Jennings front yard on Lot 1 and correspondingly reduce the building size to 9960 square feet so to meet the zoning standards for parking spaces based on square footage. By a vote of 5 to 0 (Commissioners Borkgren and Stroud were absent) at the February 19, 2008 meeting, the Commission recommended approval of the Conditional Use Permit for a Planned Development for Lots 1, 2 and 3 of the Wonder Industrial Complex Subdivision with the reduced building size and parking. The owner did not feel he could make the project work

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financially with the reduced building size. At the February 26th meeting of the Committee of the Whole, the applicant presented an alternative plan which maintained the original building size. Staff had not had the opportunity to properly evaluate the new proposal and the item was tabled until the next meeting. Based on staff comments, the applicant has submitted a revised Site Plan that shows the originally proposed 10,800 square foot building size, with the 4 parking spaces of concern moved to the south end of the east parking lot. The parking was accommodated by removing one required landscape island and tree and reducing the required width of another landscaped island. The applicant also has submitted a revised Landscape Plan in accordance with the site changes made. As with the proposal for which the Planning and Zoning Commission recommended approval, the current proposal would deviate from the Zoning Ordinance by a reduced side yard for the existing building on Lot 2, allowing parking within the Jennings Drive and Pyott Road front yards, and lack of a berm in the Pyott and Rakow Road front yards in order to allow stormwater to properly drain in swales. The landscaped island exceptions noted above are new to the current proposal. The original Public Hearing notice, though, did note a request to deviate from the Landscape Standards in section 26 of the Zoning Ordinance.

Final Plat – First Amendment to Wonder Industrial Complex Subdivision — presented by Community Development Director Dan Olson — The applicant, Jeff Goble of Charles River Development on behalf of the property owner, Fred Dickman, has submitted a Final Plat for re-subdivision of Lots 1, 2 and 3 of the Wonder Industrial Complex Subdivision. The lot line between lots 1 and 2 is moved approximately 45 feet to the west, expanding the size of Lot 1 that has been reduced in size over the years due to road widening. The Planning and Zoning Commission reviewed the Final Plat at its January and February meetings and recommended approval of the plat by a vote of 5 – 0 (Commissioners Borkgren and Stroud were absent) on February 19, 2008.

Trustee Mulcahy would like a clearer view of the new drawings for Thursday's meeting. Mr. Olson tried to clarify the drawing. Mr. Olson mentioned that all involved entities have approved the plans.

Motion was made to place all three Community Development issues on the Village Board agenda.

Engineer:

Parks and Recreation:

Plan Approval – Cheswick Place Park – presented by Parks and Recreation Director Trudy Wakeman – On January 19th, a public hearing was held for the residents of Cheswick Place to determine their needs and wants for park amenities. At the Parks and Recreation Board meeting on February 7th, Hitchcock Design Group presented two layout plans which were based on the resident input and what the budget would allow. The plan includes a 16' square shelter, asphalt path to the park, play structures to resemble boulders/rocks, landscape, and a 6' bench. At the March 6, 2008 Parks and Recreation Board meeting the recommended amenities were discussed. Motion was made to place this item on the Village Board Agenda.

Harvest Gate Bike Path – presented by Parks and Recreation Director Trudy Wakeman – The bike path map has been in place since 1996 and paralleled Woods Creek south to Algonquin Road from the existing path. The path diagram was modified in 1997 and hugs the Heaven's Gate boundary line to the west. After discussion with the residents and developer, the bike project did not progress. In 2007, the modification of the bike path on the north side of Woods Creek was moved to the south side, or the Harvest Gate side of Woods

Creek. The Parks and Recreation Board determined that this would align with the newly-placed Harvest Gate bike path that was installed when the school and Village Hall were built. In January 2008, project applications for CMAQ bike path funding was requested. The two bike path options in the Village include the Ryder Park to Barbara Key Park path and the Harvest Gate path. Staff felt the Harvest Gate path met the CMAQ criteria best. The Village Board approved the CMAQ bike path application at the January 24, 2008 Board meeting. The Parks and Recreation Board has solicited input from the residents who lived near the proposed path at the February 7, and March 6, 2008 Parks and Recreation Board meetings. Comments included: loss of privacy, loss of nature, flooding issues, maintenance of path, increase in vandalism/crime, and general concern for the well being of their property and families. At the March 6, 2008 Parks and Recreation Board meeting, the Board recommended continuing with the bike path application for the Harvest Gate Path. Trustee Mulcahy wondered if we continue to apply for the grant would there be wiggle room to come up with an alternate plan. According to Dave Van Camp from Smith Engineering mentioned that the grant request would need to be changed if it were to include a bridge to cross back over the creek. Trustee Bogdanowski wondered if the Board would consider an alternative to the proposed plan. Trudy Wakeman mentioned that the grant was applied for before the residents were notified because of a small window of opportunity to apply for the grant. Trustee Mulcahy does not have a problem with the North Eastern part of the path. He does have issues with the South Western portion of the path. He feels very strongly that there should be a bike path in that area, however he does not think the south west portion is appropriate because it is so close to homes between the lot lines and the creek. He would like to move forward with a bike path plan, however not with the south east portion as currently laid out. Trustee Bogdanowski does not feel that strongly about the bike path. He does not feel that it will add as much to the community as much as it upsets the residents. There was some discussion as to whether we could amend the grant application for more money as to possibly provide for a bridge(s). Trustee Harlfinger, who attended the last Parks and Rec. meeting, mentioned that he was not thrilled about the process of this grant application. He does not know why the residential input was not received before the grant application. He then gave a brief history of how the wetlands came about. Trustee Yensen also mentioned that she thought the citizen input should have come prior to the grant application submission. Trustee Mulcahy mentioned that he is proud of the Parks and Rec. board. President Plaza clarified that the grant application was brought to the board about two months ago. The Board was told that there was a small window for grant application. The board directed the staff to apply for the grant and notify the residents to start the process and get the input. Trustee Yensen stated that she may have forgotten the earlier meeting and she apologizes for overlooking the citizen input. Trustee Yensen would like to see a bike path there, but is also in favor of looking into an alternative. Trustee Murawski mentioned that several bike paths have been talked about over the years. Until the Army Corp of Engineers come in, we don't even know if this bike path is feasible. The grant will allow the studies to be done to determine if this path or any path is even feasible. Motion was made to place this item on the Village Board Agenda.

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Public Works:

Contract – Berger Excavating – 2008 Water Main Replacement Project – presented by Airport Manager Dave Gregoria – On February 29, 2008 eight sealed bids for the 2008 Water Main Replacement Project were opened at Public Works. Seven of the eight bids ranged from a low of \$1,075,057.90 from Berger Excavating to a height of \$2,476,513.50 for the base bid. The engineer's opinion of probable construction costs for the base bid project is \$1,294,145.00. An alternative bid to perform the work using directional boring was also proposed to determine if this might be more cost effective than traditional methods. Alternate bids were submitted and five of the eight bids ranged from a low of \$1,091,180.00 to a high of



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Board of Trustees Meeting

March 13, 2008

Call To Order

The meeting was called to order at 7:33 p.m.

Roll call was answered by Trustees Ray Bogdanowski, Stephen Harlfinger, Paula Yensen, Joseph Murawski, Paul Mulcahy, Bob Huckins and President Edwin Plaza.

Also present were Village Administrator Gerald Sagona, Assistant Village Administrator Shannon Andrews, Director of Public Safety James Wales, Public Works Director Fred Mullard, Community Development Director Dan Olson, Parks and Recreation Director Trudy Wakeman, Finance Director Pete Stefan, Village Attorney Richard Flood and Village Clerk Denise Wasserman Haugk.

The Pledge of Allegiance was led by President Plaza.

Public Comment on Agenda Items:

Krista McDunn – 451 Harvest Gate – wondered about how the meeting is run. Specifically she wondered about the Omnibus Agenda. President Plaza explained the process. Ms. McDunn respectfully asked that item H be pulled from the Omnibus Agenda for future agenda.

Consent Agenda

A. Motion to accept and place on file the minutes of the February 26, 2008 Committee of the Whole meeting.

B. Motion to accept and place on file the minutes of the February 28, 2008 Village Board meeting.

Motion to approve Consent Agenda items A-B was made by Trustee Yensen and seconded by Trustee Harlfinger. On roll call vote, Trustees Harlfinger, Huckins, Murawski, Mulcahy, Yensen and Bogdanowski voted Aye. No Nays. Motion carried.

Omnibus Agenda

A. Motion to authorize the issuance of a raffle license to the Lake in the Hills/Algonquin Falcons Youth Football Organization to conduct a raffle on November 21, 2008 and to waive the \$10.00 license fee and bond requirement.

B. Motion to authorize the issuance of a raffle license to the Woodstock Christian Life Services to conduct a raffle on April 5, 2008 and to waive the \$10.00 license fee and bond requirement.

C. Motion to pass Ordinance 2008-____, "An Ordinance Amending Section 33.08B, Number of Licenses Issued, of the Lake in the Hills Municipal Code".

G. Motion to approve the playground design prepared by Hitchcock Design dated February 28, 2008 for the Cheswick Place Park.

I. Motion to award a contract to Berger Excavating in the amount of \$1,075,057.90 for the 2008 Water Main Replacement Project.

Motion to approve the Omnibus Agenda items A – C, G & I was made by Trustee Yensen and seconded by Trustee Murawski. On roll call vote, Trustees Huckins, Bogdanowski, Harlfinger, Murawski, Mulcahy and Yensen voted Aye. No Nays. Motion carried.

Approval of the Schedule of Bills:

Motion to approve the March 14, 2008 Schedule of Bills, funds totaling \$428,828.79 was made by Trustee Bogdanowski and seconded by Trustee Murawski. On roll call vote, Trustees Yensen, Bogdanowski, Mulcahy, Murawski, Huckins and Harlfinger voted Aye. No Nays. Motion carried.

Approval of Manual Bills:

Department Head Reports:

Annual Easter Egg Hunt – Saturday at 8:00 am sharp (3/15/08)

Richard Flood – There will be a Quick Take Hearing on March 25th regarding the condemnation hearing for the airport.

Board of Trustee Reports:

Village President Reports:

The next Planning and Zoning meeting will discuss operation of hours for the business at Lakewood and Ackman Road. Since the Village of Lakewood has no restrictions for the hours of business, our Village will revisit our restrictions.

Committee Reports:

Communications and Petitions:

Unfinished Business:

D. Motion to pass Ordinance 2008-____, "An Ordinance Granting a Zoning District Map Amendment from the M-1 Limited Manufacturing District to the B-4 Commercial Business District for Lot 1 and Part of Lot 2 of the Wonder Industrial Complex Subdivision".

E. Motion to pass Ordinance 2008-____, "An Ordinance Granting a Conditional Use Permit for a Planned Development for Lots 1, 2 and 3 of Wonder Industrial Complex Subdivision (Rakow Plaza)".

F. Motion to approve the Final Plat for the First Amendment to Wonder Industrial Complex Subdivision prepared by Vanderstappen Surveying & Engineering Incorporated dated January 24, 2008 and authorize the appropriate Village Officials to execute the plat subject to the payment of all fees and costs as outlined in the Lake in the Hills Municipal Code.

Motion for Items D-F was made by Trustee Harlfinger and seconded by Trustee Bogdanowski. Trustee Harlfinger noted that developers are willing to work with our Village and staff in order to do business here. He commends the business/property owner. On roll call vote Trustees Murawski, Bogdanowski, Mulcahy, Huckins, Yensen, and Harlfinger voted Aye. No Nays. Motion approved.

H. Motion to direct staff to take all steps necessary to proceed with the CMAQ Grant Request and the installation of the Harvest Gate bike path segment as depicted on the Village's approved Bike Path Map. was made by Trustee Mulcahy and seconded by Trustee Yensen. Trustee Mulcahy mentioned that after much discussion he feels that while a bike path should be put on the property, that maybe the plans could be changed to move further away from the residents. He also mentioned that there may have been some confusion as to the process taken thus far. Trustee Yensen agrees. She believes it is important to listen to the neighbors in any process that will directly affect them. She feels the process got sidetracked and she apologizes for that. She is however, in favor of the bike path. She hopes that the Village and the residents can come to some compromise. She appreciates the residents that came forward to express their concerns and their efforts to come up with alternatives. She supports the efforts of the staff and the Parks and Rec. Board. She is adamant that the Board is not corrupt; in fact they got a bit sidetrack on this process and she is in support of making it right. Trustee Bogdanowski mentioned that the nature of his personality is to try to make everyone happy; not sure if he's done that yet. He mentioned that as a Village Board, there has been instances in the past where we have tried to be good neighbors (ie., Lakewood/Ackman development). He would like to continue to be a good neighbor. There have been many good points brought up as well as the not-in-my-back-yard points. He feels that from a safety stand point, he is in favor of getting the bike path off the street. He would like to see some form of compromise. Trustee Harlfinger wondered what the compromise Trustee Bogdanowski is talking about. Trustee Bogdanowski does not have an answer. Though he does not feel there was a procedural issue, he feels that we need to give the Parks and Rec. Board an option to present alternative paths. Trustee Mulcahy gave a brief summary of the process taken and backed the process taken thus far. Trustee Mulcahy's compromise: He likes the Northwest beginning of the path. He feels if the path continues on the other side of the creek so the path is 30 - 40 feet behind the lot lines and then bring it back over the creek on to Harvest Gate. He mentioned that there would be an opportunity to present an amended application to the grant committee with an alternate route that includes a path mostly on the other side of the creek away from the back of the homes. Trustee Huckins agrees. Trustee Yensen would like to recognize Kelly Bailey - 461 Harvest Gate - in regards to her autistic son. She wondered about a possible small side fence along her property. Ms. Bailey is happy that the Board is considering a compromise. She wondered why if Heaven's Gate residents don't want the path and the Harvest Gate residents don't want the path why is the bike path going in. Ms. Bailey does appreciate the concern of the Village regarding her son. Trustee Mulcahy mentioned that other residents in the neighborhood that don't back up to the path are in favor of the path. He feels if the path is moved away from the homes that everyone could content. Trustee Harlfinger also gave a brief summary of the grant process and he does not feel the Board did anything wrong. He feels certain that the Army Corp of

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Engineers would not even allow the bike path to be so close to creek as is the current plan. Trustee Bogdanowski believes Trustee Mulcahy will be clarifying the vote regarding an alternate plan. Trustee Mulcahy is going to propose an amendment to the current agenda.

Amended motion:

Motion to direct staff to take all steps necessary to proceed with the CMAQ Grant Request and the installation of the Harvest Gate bike path segment with the alternative path that includes bridge crossings was made by Trustee Mulcahy and seconded by Trustee Yensen. On roll call vote Trustees Mulcahy, Bogdanowski, Harlfinger, Yensen, Huckins, and Murawski voted Aye. No Nays. Motion carried.

New Business:

Audience Participation:

Sandy Oslance – Algonquin/Lake in the Hills Chamber of Commerce – She came to speak regarding the 2008 graduates of the Community Leadership School. There are currently 21 alumni of the program and she wanted to present the Village with a plaque.

Kevin McDunn – 451 Harvest Gate – wanted to share a few comments regarding the amendment – He appreciates the willingness and openness of the board regarding the willingness to compromise. He appreciates the encouragement that this was just a plan and not actually the final plan. He and his wife respect this board and the government. They've been in this Village for 14 years and know the state of village government back then. President Plaza mentioned that the Park and Rec. Board were given no latitude with this decision. They are an advisory board and they were just doing what they knew to do.

Bradley Appier - 459 Harvest Gate - Encouraged by the results of tonight's decision. He was not in favor of the government 48 hours ago but his faith is restored. He realizes that there will still be a bike path, though he is not in favor of it, though he realizes this board does listen to the residents and he thanked everyone.

Executive Session:

Motion Following Executive Session:

Audience Participation:

Adjournment: There being no further business to discuss, the meeting of the Lake in the Hills Board of Trustees was adjourned at 8:13 p.m.

Submitted by,
Denise Wasserman Haugk
Village Clerk



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Committee of the Whole Meeting

April 8, 2008

Call To Order

The meeting was called to order at 7:35 p.m. Present were Trustees Harlfinger, Murawski, Bogdanowski, Mulcahy, Huckins, Yensen, and President Plaza.

Also present were Village Administrator Gerald Sagona, Director of Public Safety James Wales, Public Works Director Fred Mullard, Village Engineer Dave Van Camp, Parks and Rec. Director Trudy Wakeman, Community Development Director Dan Olson, Village Attorney Jennifer Gibson Village and Village Clerk Denise Wasserman Haugk.

Audience Participation:

Danial Igoe – 20 W. Oak Street – Mr. Igoe has a problem with his neighbor roof drainage system. The water is drainage is entering Mr. Igoe's yard. He has spoken with Public Works. The downspout needs to be more firmly attached to the neighbor's home. A pipe needs to be connected to the downspout so the water is directed into the neighbors yard. The Village Inspector has sent a letter and Mr. Igoe is hoping the Board might step in.

Robert Ward 1116 Heaven's Gate – Mr. Ward is concerned about the Harvest Gate bike path project. He is questioning the changes that keep taking place, however, he feels that another bike path is not a big deal. He also works in the Village at Advanced Flexible Composit's – Walter Road – He is here also on behalf of the company to inquire about possible water main improvements for the property.

Administrator:

Director of Public Safety:

Community Development:

Ordinance – Amendment to Ordinance No. 2005-17 (Hours of Operation and Signs) for the Prairie Stone Shops Development – presented by Community Development Director Dan Olson - In 2005, the Village approved Ordinance No. 2005-17 that granted zoning and provided development standards for the Prairie Stone Shops project at the southeast corner of Lakewood and Ackman Roads. The Ordinance also established hours of operation limitations, which included language that stated that no business could be open between 10:30 pm and 5:30 am. The applicant, Fuhler Properties, is requesting that the hour limitation be removed. The applicant has indicated in his petition and testified at the public hearing that these limitations inhibit the ability to lease the building to stores and restaurants. In addition, the commercial development at the northwest corner of Ackman Road and Redtail Drive in Lakewood has no hour restrictions. The applicant is also requesting an additional wall sign for one of the tenants (National Fitness and Tan). A public hearing was conducted by the Planning and Zoning Commission on March 17th on the amendments to the Planned Development Ordinance.

The Commission recommended approval 3 to 2 (Commissioners DeMay, Siakel and Stock voted yes and Commissioners Covone and Rambo voted no; Commissioners Stroud and Borkgren were absent) of the proposed amendment regarding the removal of the hour limitations and voted 5 to 0 to recommend approval of the amendment to allow the additional wall sign. There were two residents who spoke during the hearing. Jennifer Kerstiens of 8510 Weston Circle in Lakewood mentioned that she appreciated the cooperation with the Village in the past on the project and that the building is non-obtrusive. She noted concerns with the amendment on the elimination of hours mentioning it would open the door to a possible gas station/other uses and create noise issues. William Cherikos of 5 Banford Ct. had concerns about the possible increase in noise with the elimination of hours. John Fuller mentioned that Centegra is expanding into Huntley which will be competition with National Fitness and Tan. They would appreciate another sign. He also mentioned that a change in hours would also be beneficial for the businesses and allow them to be more competitive. Trustee Mulcahy wondered if National Fitness and Tan did not take up four spaces, then there would be additional business signage. Mr. Fuller agreed. He is also trying to lease some more space including putting a restaurant in. Trustee Yensen mentioned that there were some neighbors concerned about there being a business that might be open 24 hours. She wondered what type of business/restaurant Mr. Fuller is planning on bringing in. Mr. Fuller would like to attract a family style restaurant, not a 24 hour restaurant. Mr. Olson mentioned that the amendment does not allow for different zoning. The business requirements would be the same. Motion was made to place this item on the Village Board Agenda.

Ordinance – First Amendment to the Annexation Agreement – Prairie Stone Shops

Development– presented by Community Development Director Dan Olson - In 2005, the Village approved an annexation agreement for the Prairie Stone Shops development at the southeast corner of Lakewood and Ackman Roads. The agreement provided the development standards for the project and also established hours of operation limitations, which included language that stated that no business could be open between 10:30 pm and 5:30 am. The applicant, Fuhler Properties, is requesting that the hour limitation be removed. The applicant has indicated that these limitations inhibit the ability to lease the building to stores and restaurants. The applicant is also requesting to amend the agreement to allow an additional wall sign for one of the tenants (National Fitness and Tan). The applicant has also requested to amend the Planned Development Ordinance for the site, with respect to the hours of operation and additional sign. The Planning and Zoning Commission has recommended approval and the request is in front of the Village Board in conjunction with the annexation agreement amendment request. A public hearing on the amendment took place April 8th at 7:00 in front the Village Board. Motion was made to place this item on the Village Board Agenda.

Ordinance – Amendments to Chapter 38, Building Contractor Licensing, of the Municipal

Code– presented by Community Development Director Dan Olson - Proposed are some amendments to Chapter 38 “Building Contractor Licensing” of the Municipal Code. The changes involve some minor language changes and an increase in the annual licensing fee from \$50 - \$75. We have also reviewed the fees and the insurance and bonding requirements of some of our surrounding municipalities. Although some do not charge a fee we do have some considerable staff time involved in the processing of the licenses. In addition, the fee has not increase since April of 1995. If approved, an estimated \$6,000 in additional funds will be collected this fiscal year. Trustee Mulcahy mentioned that the Board discussed some of the fees at the last Strategic Planning Session. He is all in favor of making sure that any fee the Village imposes covers the administration time needed issue the permits. Trustee Harlfinger is not only in favor of increasing the fees, but he would even be for a higher fee. Motion was made to place this item on the Village Board Agenda.

Waiver of Site Development Permit Fee – McHenry County Conservation District – presented by Community Development Director Dan Olson - The McHenry County Conservation District is doing a habitat restoration project on part (about 12 acres) of the “Rothschild” property along Jefferson Street. The District will be doing some grading on the site and must obtain a Site Development Permit from the Village. The fee for the permit is \$250 and the District is requesting a waiver of the fee. In recent years the Village Board has entertained a few requests to the waiver of various development fees. In 2002, the Village received a request from the Algonquin/Lake in the Hill Fire Protection District to waive the water connection (\$21,220.00) and building permit (\$19,132.75) fees for their headquarters station at Pyott and Algonquin Roads. The Board granted a waiver of the building permit fee, however charged the minimum water connection fee for a non-residential building, which was \$3,690.00 at the time. In 2003, the Board granted a request to waive the building permit fees for two small projects. A building permit fee of \$30 was waived for a new roof for a home at 21 Roosevelt Street. A not for profit organization was assisting the homeowner, whose husband was serving overseas in the Army at the time. In addition, the Village Board approved waiving the building fee of \$35.60 to a local Boy Scout, who was constructing a new pier at 181 Hilltop Dr. on Wood Creek Lake. In 2006, Joy Community Church requested a waiver of fees for the water connection (\$33,375.00) and building permit (\$10,175.40) for their facility. The Board denied the requests. Motion was made to place this item on the Village Board Agenda.

Waiver of the Masonry Construction Requirements – 8709 Pyott Road (Riggsby Construction) – presented by Community Development Director Dan Olson - Mark Riggsby of Riggsby Construction, Inc. is requesting a waiver from the requirement for 100% masonry exterior finishes for new construction. Mr. Riggsby is rehabilitating an existing building at 8709 Pyott Road (former National Plumbing building). Mr Riggsby proposes to alter the presently all-brick front façade to a combination of cultured stone and EIFS. After subtracting for windows and doors, the proposed elevation shows approximately 34% masonry on the ease elevation that faces Pyott Road. The other three elevations will remain a combination of brick and metal siding. The Board of Trustees may grant an exception to this requirement, however, in a B-4 Commercial Business District, no less than 33% of the elevations facing a public street may be masonry. In reviewing the waiver, the Building Code delineates three factors that should be considered: The architectural value and significance of the structure or its size; The relationship of the exterior architectural features of the proposed structure to the existing structures in the surrounding area; The compatibility of the exterior design, arrangement, texture and material to be used with that used in the surrounding area. Motion was made to place this item on the Village Board Agenda.

Engineer:

Parks and Recreation:

Update - CMAQ Bike Path Grant Application – Parks and Recreation Director Trudy Wakeman introduced Village Engineer Dave Van Camp who presented this item. - At the March 13, 2008 Village Board Meeting, the Board directed staff to amend the CMAQ Harvest Gate Bike Path application, with the understanding that the resubmitted application would include two bridges and realignment away from the resident’s back yards. Since that time, staff has discovered Phase 1 and 2 engineering plans are required for federally funded programs. Phase 1 would include the IDNR and Army Corp. of Engineers’ assessment of the area, bridge or culvert design, wetland delineation, survey, and public involvement. Phase 2 would include the final contract plans, bridge abutment or culvert design, and wetland

mitigation design. Phase 3 includes the construction observation and administration of the construction contract. The additional engineering costs would put this project above and beyond the original \$187,288 that was requested. Since the inception of the CMAQ bike path application staff has notified residents bordering the potential path from the Harvest Gate as well as the Heaven's Gate side of the creek. Most of those who have voiced their concerns have been from the Harvest Gate section of town. As of late, the Heaven's Gate residents have also expressed their concerns to staff about the proximity of the future path to their homes. Furthermore, residents have contacted IDNR and CMAP for additional insight into the project. Staff has contacted those key residents and have invited them to tonight's meeting. Smith Engineering indicates that with Phase 1, 2, and 3 engineering included, the total project cost is \$707,502.50. The cost to the Village is 20% or approximately \$141,500 if the grant is awarded. Dave Van Camp from Smith Engineering is available for questions regarding there \$238,502.50 estimate. Trustee Mulcahy asked the approximate distance from possible bridge to homes on Heavens Gate. Motion was made to place this item on the Village Board Agenda.

Naming of the Parks and Memorial Tree Program Amendments— presented by Parks and Recreation Director Trudy Wakeman - At the April 3, 2008 Parks and Recreation Board meeting, the Board approved the document changes that combined the Memorial Tree and Naming of the Parks, Building, or Structures Programs. In addition to the Memorial Tree Program, memorial benches and picnic tables offer residents other amenities from which to choose. In an environmental effort, staff plans to use recycled plastic benches and picnic tables for this program. President Plaza likes this program as well as Trustee Mulcahy. Motion was made to place this item on the Village Board Agenda.

Public Works:

Airport – Participation Agreement with the Illinois Department of Transportation for Land Acquisition of the Pyott Road Relocation – presented by Public Works Director Fred Mullard - The Participation Agreement establishes rights and obligations of the Village and the State as they pertain to the purchase of land for the Pyott Road relocation. The land to be purchased under this agreement includes the Athans parcel and the L&V parcel. Under this agreement, the Village will be reimbursed 97.5 percent of the overall cost of the purchases through a Federal Aviation Administration – Illinois Department of Transportation grant. The total cost of the two properties is not yet known. This agreement will allow the Village to receive the funds necessary for the placement of an escrow for the Athans property and provide sufficient funds for the L&V purchase. The additional expenses incurred in the eminent domain proceedings are eligible expenses for future reimbursement under either an amendment to this agreement or an additional agreement dependant on final costs. As part of this agreement, the Village agrees to use the property for airport purposes and to follow federal and state regulations in the operation of the airport for the public's benefit for not less than 20 years. This is a standard agreement between the owner of public airports and the State of Illinois. Motion was made to place this item on the Village Board Agenda.

Finance Director:

Organizations and Developers:

Board of Trustees:

Trustee Harlfinger – **Planning and Zoning Commission Liaison Report** –

Trustee Huckins – **Community Advisory Council for Randall Road Liaison Report** -

Trustee Yensen – **McHenry County Transportation Liaison Report -**

Trustee Bogdanowski – **Business Relations Committee Liaison Report -**

Trustee Joe Murawski – **Senior Liaison Report** – The seniors are still happy☺

Trustee Paul Mulcahy – **Parks and Recreation Board Liaison Report** – The agenda covered the discussed items.

President:

Thursday there will be an appointment made to the Parks and Recreation Board.

There will be a proclamation for Volunteer Week.

Audience Participation:

Joseph Giarratana – 1109 Heavens Gate – wondered if the residents on both sides (Harvest Gate and Heavens Gate) would be allowed a copy of the placement of the bike path. According to Dave Van Camp, the exact alignment has not been determined and phase 1 of the study will help define the actual bike path.

Mary Wolski – 1112 Heavens Gate – She was against the path ten years ago. She wondered why the Village was not going through IDNR for this bike path. She also wanted to address the safety issue. There are coyotes in that area and she is worried about the safety of the children. She also wondered why the path was widened and wondered why there would be a bike path in the wetlands and what is a flood plain.

Denise Benages – 1118 Heavens Gate – She wondered about the outflow from Boulder Ridge that creates almost a second pond after heavy rains. She wondered if any consideration had been given to that.

Robert Ward - 1116 Heavens Gate – Wondered how many paths there were. President Plaza mentioned that the idea is to have the bike path continue from one area to another. He stated that bike paths are not always pretty but do not have a nuisance factor. He also mentioned that if the bike path is more than \$200,000 he feels it is a waste of money.

? TOTAL ~ or Village

Bradley Appier – 459 Harvest Gate – He thanked the Engineering firm for the documents. He would like to confirm that there will be public input allowed and the path is totally flexible at this point. Mr. Van Camp mentioned that the recommendation from Smith Engineering did include estimated hours for two public meetings. He is concerned about the southern terminus. He would like to request that the path be connected to the existing berm. This would require the extension of the proposed path, but would be beneficial to the neighborhood.

Adjournment: There being no further business to discuss, the Committee of the Whole meeting was adjourned at 8:24 p.m.

Submitted by,

Denise Wasserman Haugk
Village Clerk

Ross Patronsky

From: Trudy Wakeman [twakeman@LITH.org]
Sent: Wednesday, September 03, 2008 10:33 AM
To: Ross Patronsky
Cc: Doug Ferguson
Subject: RE: FY 2009 CMAQ Application BP11093071 - Harvest Gate Bike Path

Thank you

The existing residential road is narrow, high traffic, and many curbside parking. We had looked at widening the sidewalk along that road to make a bike path - but that was not feasible based on the configuration of trees and landscape. There is not much truck traffic, but more residential traffic.

I hope this answers your question.

Thank you - Trudy

Trudy L. Wakeman, CPRP
Director of Parks & Recreation

Village of Lake in the Hills
600 Harvest Gate
Lake in the Hills, IL 60156
direct line 847.960.7461
fax 847.960.7465

From: Ross Patronsky [mailto:RPatronsky@cmap.illinois.gov]
Sent: Wednesday, September 03, 2008 10:29 AM
To: Trudy Wakeman
Cc: Doug Ferguson
Subject: RE: FY 2009 CMAQ Application BP11093071 - Harvest Gate Bike Path

Ms. Wakeman:

Thanks for your response. In anticipation of possible questions from the Committee, please elaborate on the issue of the existing road facility connecting the two existing paths. Specifically, are there circumstances that deter cyclists from using this street, such as high traffic volumes or significant truck traffic? Thanks.

Ross Patronsky

From: Trudy Wakeman [mailto:twakeman@LITH.org]
Sent: Tuesday, September 02, 2008 2:44 PM
To: Ross Patronsky
Cc: Doug Ferguson
Subject: RE: FY 2009 CMAQ Application BP11093071 - Harvest Gate Bike Path

Dear Ross Patronsky and Committee:

Upon review of the residents comments referencing the Harvest Gate Bike Path - the following is noted:

1. At the time of the initial presentation to the Village Board on January 22/24, the dollar value of the project was \$142,000. The project was submitted the following week and it was determined that a math error occurred. The value of the project was \$187,000. Over the next Village Board meetings it was determined that the Village Engineer needed to take a further look into the project and at that time determined the including Phase I and II Engineering would be included. The total new cost was \$707,625. With board approval, the new submission was sent to Doug Ferguson on April 17, 2008.

2. The second issue that I surmise from the documentation references the marking 'general public support' in the application. Through conversations with the area coordinator, it was determined that a pre-submission meeting was not necessary, due to the fact that the bike path map had been approved by the Village Board. This was public record and the map was on the Villages' website.

3. Lastly, the Village bike path map and bike route includes off-street and on-street routes. If this path were to be constructed it would link 2 portions of bike path section (off-street). Additionally, it would allow for bike routes (on-street) to area businesses as well as schools in the area.

Please let me know if I have addressed all your concerns. I am planning to be available for the September 9 meeting.

Thank you for the opportunity to respond.

Trudy L. Wakeman, CPRP
Director of Parks & Recreation

Village of Lake in the Hills
600 Harvest Gate
Lake in the Hills, IL 60156
direct line 847.960.7461
fax 847.960.7465

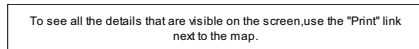
From: Ross Patronskey [mailto:RPatronskey@cmap.illinois.gov]
Sent: Monday, August 25, 2008 4:11 PM
To: Trudy Wakeman
Cc: Doug Ferguson
Subject: FY 2009 CMAQ Application BP11093071 - Harvest Gate Bike Path

The subject application has been proposed for funding in the FY 2009 CMAQ program. The proposed program is currently posted for public comment. Two comments have been received on this proposal; copies of the comments are attached. Please let me know if you have trouble receiving these files.

Since these are adverse comments, please review and respond to their points. The responses should be sent to me by next Tuesday, September 2nd, so that they may be included in the materials to be sent to the CMAQ Project Selection Committee. You may wish to attend that meeting, which will be on September 9th in the CMAP offices.

Ross Patronskey
Senior Planner
Chicago Metropolitan Agency for Planning
233 South Wacker Drive, Suite 800
Chicago, IL 60606
312-386-8796 (voice)
rpatronskey@cmap.illinois.gov

<<BP11093071 section 1.pdf>> <<BP11093071 section 2.pdf>> <<BP11093071 section 3.pdf>> <<BP11093071 section 4.pdf>> <<BP11093071 section 5.pdf>> <<BP11093071 CMAQletter2.doc.pdf>>



Respiratory Health Association of Metropolitan Chicago * Citizen Action/Illinois * Healthy Schools Campaign * Environment Illinois * Richter Foundation * Addressing Asthma in Englewood * Northwestern University ECO Group * Environmental Law & Policy Center * Centro Comunitario Juan Diego * Back of the Yards Neighborhood Council * Healthy Chicago Lawn * Union of Concerned Scientists

August 11th, 2008

Chicago Metropolitan Agency for Planning
233 South Wacker Drive, Suite 800
Chicago, IL 60606

Re: CMAQ Comments

Diesel pollution is a serious health problem. Diesel exhaust contains toxic air contaminants, carcinogens, ozone smog-forming elements, and fine particulate matter (or soot). According to the EPA, the “soot” in diesel exhaust can **“pose a significant health risk because they can pass through the nose and throat and lodge themselves in the lungs. These fine particles can cause lung damage and premature death. They can also aggravate respiratory conditions such as asthma and bronchitis¹.”** According to the Clean Air Task Force, it is estimated that diesel fine particles cause 755 deaths, 1,021 heart attacks, 476 cases of chronic bronchitis, and 17,017 of asthma attacks each year in the Chicago metropolitan area². The Clean Air Task Force also ranks Chicago third in the national list of metropolitan areas with the gravest diesel impacts³.

Given the serious health threat from diesel pollution, we are writing to urge you to fully fund the following 2009 Congestion Mitigation and Air Quality (CMAQ) applications for projects that would reduce diesel exhaust emissions.

Rail

- Union Pacific Proviso Rail Yard Switcher Engine Retrofit
- Village of Bedford Park-Belt Railway Co. Clearing Yard Switcher Retrofit
- Town of Cicero-BNSF Railway Co. Cicero Rail Yard Locomotive Diesel Retrofit
- Illinois Environmental Protection Agency-Norfolk Southern Railway Co. Switchyard Diesel Locomotive Retrofit Project.
- Illinois Environmental Protection Agency- Amtrak Switcher Engines Retrofit
- Illinois Environmental Protection Agency-CSXT-Barr Rail Yard Switch Engine Retrofit-Year 2 & 3
- Village of Franklin Park- Indiana Harbor Belt Railroad Engine Retrofit

¹ US Environmental Protection Agency. *Diesel Exhaust and Your Health*. February 8, 2008 <http://epa.gov/cleanschoolbus/humanhealth.htm> (July 29, 2008)

² Clean Air Task Force. *Diesel & Health in America: The Lingering Threat*. February 2005. <http://www.catf.us/publications/view/83> (May 22, 2008)

³ Clean Air Task Force. *Diesel & Health in America: The Lingering Threat*. February 2005. <http://www.catf.us/publications/view/83> (May 22, 2008)

- Village of Riverdale - Indiana Harbor Belt Railroad SD-20 Retrofit

Bus

- Pace-Bus Diesel Engine Retrofits

City/County/Regional Fleet

- Chicago Department of Environment-Chicago Diesel Emissions Reduction Project
- Cook County Department of Environmental Control-Cook County Fleet Diesel Retrofit
- Illinois Department of Transportation-IDOT Maintenance Fleet Emissions Reduction
- Illinois Environmental Protection Agency-Chicago Area Diesel Retrofit Program

The above retrofit projects would lead to significant reductions in diesel pollution in the Chicago metropolitan area. To this end, we strongly urge you to fully fund these proposals as a vital step in satisfying the goals of CMAQ and improving air quality in the Chicago metropolitan area. In the event the cost of funding for these projects exceeds the total amount of 2009 CMAQ funding, we urge you to prioritize funding for these projects in the 2010 CMAQ funding cycle and subsequent cycles.

Sincerely,

Lynda DeLaforge
Co-Director
Citizen Action/Illinois

Brian Urbaszewski
Director
Respiratory Health Association of Metropolitan Chicago

Mark Bishop
Deputy Director
Healthy Schools Campaign

Howard A. Learner
President
Environmental Law & Policy Center

Maureen Damitz
Project Manager
Addressing Asthma In Englewood

Frank Richter
President
The Richter Foundation

Olivia Hernandez
Executive Director
Centro Comunitario Juan Diego

Kevin Knobloch.
President
Union of Concerned Scientists

Illana Bodini
Coalition Coordinator
Healthy Chicago Lawn Coalition

Craig Chico
President & CEO
Back of the Yards Neighborhood Council

Rebecca Stanfield
Director
Environment Illinois

Elisa Redish
External Relations Coordinator
Northwestern University ECO Group



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 -- (217) 782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 -- (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/785-4140

August 26, 2008

Mr. Ross Patronsky
Chief of the CMAQ Program
Chicago Metropolitan Agency for Planning
Suite 800
233 South Wacker
Chicago, Illinois 60606

Dear Mr. Patronsky:

The Illinois Environmental Protection Agency (Illinois EPA) would like to commend the Congestion Mitigation Air Quality Improvement (CMAQ) Project Selection Committee for its efforts in developing the FY 2009 program. We appreciate the emphasis the staff and committee have placed on the reduction of diesel exhaust emissions through the recommendation to dedicate over 25 percent of this year's funding to such projects. The inclusion of projects intended to reduce diesel exhaust emissions from buses, railroad switcher engines, and maintenance trucks will further our efforts to bring the Chicago region into attainment with the fine particulate matter (PM2.5) national ambient air quality standard.

Regarding specific projects, the Illinois EPA strongly supports the inclusion of the Chicago Area Diesel Retrofit Program (DR13093150), the Chicago Diesel Emissions Reduction Project (DR01093125), and the IDOT Maintenance Fleet Emissions Reduction project (DR13093182). The Illinois EPA also supports the inclusion of the Retrofit of Amtrak Switcher Engines project (DR01093127) at the proposed 20 percent match level.

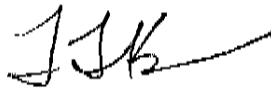
The issue of the appropriate match level for private sector freight railroad switcher engine retrofit projects has drawn much discussion. The Illinois EPA supports the inclusion of these projects as the conventional engines are replaced with energy efficient and lower emitting "generator sets." These advanced technology locomotive engines achieve a significant improvement in air quality in and around railroad yards that are often adjacent to residential areas.

Regarding the proposed 50 percent match level for the freight railroads, the Illinois EPA contacted Norfolk Southern, its private sector partner for CMAQ project number DR0103126. The enclosed response from Norfolk Southern states that it could not provide the recommended 50 percent match, but would be willing to commit to the use of

a third generator set switcher engine in the Chicago area if the committee approves the retrofit of two switcher engines at the original 20 percent match level. Norfolk Southern also stated that it would commit to retaining the retrofitted switcher engines in the Chicago area for seven years rather than the traditionally-required 5 years, thereby achieving additional emission reduction benefits. The Illinois EPA urges the CMAQ Project Selection Committee to consider this and all other responses from the freight railroads to establish a match level that would still provide an incentive for the railroads to pursue the retrofit of these older, more polluting engines.

Please contact Darwin Burkhardt at (217) 524-5008 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Kroack', with a long horizontal flourish extending to the right.

Laurel L. Kroack, Chief
Bureau of Air

Enclosure



Thomas A. Zapler
Director Public Affairs - Northern Region

August 14, 2008

Mr. Ross Patronsky
Chicago Metropolitan Agency for Planning
233 South Wacker Drive
Suite 800, Sears Tower
Chicago, IL 60606

RE: Proviso Rail Yard Switcher Engine Retrofit
Project ID #DR04093133

Dear Mr. Patronsky:

The Union Pacific Railroad's proposed CMAQ Project, sponsored by the Village of Berkeley, to retrofit two switch engines with genset engines for use at our Proviso Yard clearly reduces air pollution. The Union Pacific Railroad is please CMAP is considering awarding a CMAQ grant for this project.

Our problem is that the CMAQ Project Selection Committee now feels that applicants for these grants, including the Union Pacific, should contribute 50% of the cost of the project. A contribution at that level does not meet our internal ROI requirements. A Union Pacific contribution at the previous CMAQ proposed funding level of 65/35 is also well below our ROI requirements, but we would accept that level of funding in this case given the emission impacts, the opportunity to participate in the CMAQ program, and to demonstrate that we take being a good neighbor and environmental matters very seriously.

The Union Pacific will not pursue a 50/50 public/private split. We have consistently declined those terms based upon our genset operation experience to date. As you know, we have had roughly 160 gensets in operation on our system for at least the last 12 months. Union Pacific pioneered the genset technology, and we remain optimistic regarding its potential. The reality is that we have not yet realized the benefits this technology offers. Maintenance costs are greater than anticipated and what one would expect. Also, availability and usage are less than anticipated. This is the result of the following very steep and significant learning curves:

1. Engine suppliers (i.e. - Cummins and Deutz) for the gensets;
2. Union Pacific personnel that now maintain a new "style" of locomotive;
3. Transportation managers that assign these units for work in and around the yards when switching;
4. Locomotive engineers that operate this new technology.

Please contact Lanny Schmid or myself if you have any questions regarding our position or would like to discuss our position in greater detail.

Sincerely,

cc: Donald Kopec, Michael Rogers, George Camille, Tim Coffey, Tom Livingston,
Paul Nowicki, Gary Gibson, Robert Grimaila, Lanny Schmid, Mike Payette

(TAZ\081208-002)

**RECEIVED**

AUG 19 2008

Norfolk Southern Corporation
Mechanical Department
1200 Peachtree Street, NE
Atlanta, Georgia 30309

BUREAU OF AIR
IEPA

Donald D. Graab
Assistant Vice President
Telephone: (404) 582-6726
Fax: (404) 589-6866

August 8, 2008

Darwin Burkhardt, Manager
Clean Air Programs
Division of Mobile Source Programs
Illinois Environmental Protection Agency
P.O. Box 19276
Springfield, IL 62794-9276

Re: Congestion Mitigation and Air Quality Grant – Chicago
Norfolk Southern Railway Company Switchyard Diesel Locomotive Retrofit
Project

Dear Mr. Burkhardt:

Norfolk Southern Railway Company ("Norfolk Southern") has received your email of July 31, 2008 regarding the Chicago Congestion Mitigation and Air Quality ("CMAQ") committee's most recent recommendation for funding genset locomotives, which are ultra-low emitting locomotives, in the Chicago area. Per your note, the committee is recommending that private railroads contribute a 50 percent match toward the projects for genset switcher engines. For Norfolk Southern, the committee suggests providing funding for equipping two switcher engines with genset technology, with a contribution of \$1.5 million from Norfolk Southern and the remaining \$1.5 million from CMAQ funds. We presume this funding will be for one calendar year.

While we appreciate the committee's review of our CMAQ application and its willingness to discuss the terms of an agreement, Norfolk Southern is not willing at this time to agree to each of the terms suggested by the CMAQ committee. We can agree to funding for only the two units in the first year.¹ However, we cannot agree to the 50 percent corporate match. Rather, we can agree to the 20 percent corporate match originally proposed, for a \$0.6 million Norfolk Southern contribution and a \$2.4 million CMAQ contribution, but with an increase in the amount of time the gensets will be located in the Chicago region from five to seven years. This increased commitment leads to a total emissions reduction of approximately 319 tons over seven years (comprised of 8.1, 288.8, and 21.8 tons of PM, NOx and VOCs, respectively) or an additional 91 tons of emissions reductions over that of a five year commitment. In additional,

¹ We must note that we cannot commit to retrofit anything less than two locomotives at a particular location. As we noted in our application, we must have at least two in a given location due to the increased and different maintenance and other obligations arising from having a different locomotive technology on very few locomotives in one region. The costs associated with supplying sufficient parts and maintenance for only one retrofitted locomotive in the region, for instance, likely would be prohibitive.

Darwin Burkhardt
Illinois Environmental Protection Agency
August 8, 2008
Page 2

further significant emissions reductions will occur due to lower carbon emissions from the genset units.

At this time, Norfolk Southern cannot justify spending \$1.5 million in corporate funds for two genset units in Chicago in 2009. As we have discussed in the past, Norfolk Southern would not ordinarily be purchasing switcher units for the Chicago area because there is no current need for new units. In addition, Norfolk Southern, like the other Class I railroads in North America, largely purchases line haul locomotives and uses older units for switching operations. As a matter of general historical practice, once a locomotive is no longer suitable for line haul service, we transition that locomotive into lighter switcher service at a rail yard. Due to this transition and the long design life of locomotives, we do not regularly purchase new switching locomotives and many of the switching locomotives in service are former line haul locomotives purchased in the 1970s and 1980s. While railroads recognize the benefits of modern locomotive power, historically there have been limited advantages to investing in new switching locomotives. Adding to the challenge, investments in switcher locomotives must compete for capital with the enormous requirements a railroad faces for maintaining its privately owned right-of-way, safety critical signaling systems, projects associated with the CREATE Project, large freight car fleets and road locomotive assets.

Further, it is likely that the entire actual cost of genset units in 2009 will exceed the previously estimated \$1.5 million per unit. New crashworthiness regulations that have increased the amount of steel required for locomotive fabrication, coupled with the rising costs of materials due to nationwide inflation, have resulted in increasing assembly costs for locomotives, including genset locomotives. We would not be seeking an adjustment in CMAQ funds to reflect this likely increase; Norfolk Southern would incur any costs above the original estimate regardless of its percentage contribution. Additionally, if the committee were to look favorably on our suggested cost share of 20 percent, Norfolk Southern would be willing to commit to operate an existing genset switcher locomotive for 30 months within the Chicago nonattainment area at no cost to the CMAQ committee's proposed 2009 program of projects. This unit would lead to an additional emissions reduction of approximately 23 tons per year (comprised of approximately 0.6, 20.6, and 1.6 tons per year of PM, NO_x and VOCs, respectively), or a total additional emissions reduction of close to 60 tons, plus the additional carbon emissions reductions, at no cost to the CMAQ committee. This existing genset switcher could assist in reducing regional emissions prior to the 2009 attainment evaluation conducted by the U.S. Environmental Protection Agency to determine regional air quality designations. We also request that the CMAQ committee consider funding for a third genset in Chicago at a 20 percent Norfolk Southern corporate share in light of our willingness to add this existing genset to the region and the immediate emissions reductions benefit it would accrue.

It is the desire of Norfolk Southern to pursue efficient, effective, sustainable transportation for this important rail center by working with funding agencies such as the CMAQ committee. At this time, we are actively working with other cities on similar programs of projects which will likely provide a higher match than 50 percent. It is for these reasons that, although we cannot at this time justify increasing the funding amount in 2009 as suggested by

Darwin Burkhart
Illinois Environmental Protection Agency
August 8, 2008
Page 3

the committee, we are willing to commit to operate the CMAQ-funded genset units for a significantly longer period of time in the Chicago nonattainment area, as well as to commit another existing genset unit to the region, in order to justify a higher public share.

We look forward to working together on such projects of mutual interest for the benefit of the Illinois Environmental Protection Agency as well as residents of the city of Chicago and the state of Illinois.

Sincerely,
Norfolk Southern Railway Company

A handwritten signature in cursive script that reads "Donald D. Graab".

Donald D. Graab
Assistant Vice President Mechanical

The Belt Railway Company of Chicago
6900 South Central Avenue - Bedford Park, Illinois 60638-6397



TIMOTHY E. COFFEY
General Counsel, Secretary & Director Human Resources

Phone: (708) 496-4112
Fax: (708) 496-2608
E-mail: tcoffey@beltrailway.com

September 2, 2008

Via Facsimile & Regular Mail

Mr. Doug Ferguson
Chicago Metropolitan Agency for Planning
233 South Wacker Drive, Suite 800
Chicago, IL 60606

Re: CMAQ Program Proposal for Bedford Park, IL
BRC Clearing Yard Switcher Retrofit (DR06093132)

Dear Mr. Ferguson:

This will acknowledge receipt of your letter dated August 28, 2008, addressed to Mr. David Brady, President of the Village of Bedford Park, Illinois, wherein you inform Mr. Brady of the fact that the proposal submitted on behalf of the Belt Railway Company of Chicago (BRC) referenced above has been included in the proposed FY 2009 program. On behalf of the BRC, I would like to express our sincere gratitude for being included in the program. We believe that the BRC is a perfect location to utilize this funding, as the program's environmental benefits will be enjoyed by the scores of people who live and work in Bedford Park and on the south side of Chicago.

I would like to comment on the program's proposal to increase the local match from 20% to 50%. The BRC is the busiest switching terminal railroad in North America and is owned by six major Class I railroads – Norfolk Southern, CSXT, BNSF, Union Pacific, Canadian National and Canadian Pacific. Our board of directors is very cognizant of the need to maintain fluid train operations in Chicagoland and has in the past been very supportive of BRC capital projects that have helped maintain or improve BRC's operational efficiencies. The program herein, while quite beneficial to the general public, would have little impact on BRC's train operations. Thus, while BRC senior management believes our board of directors would support a locomotive fleet retrofit with a 20% local match based on anticipated fuel savings, we are uncertain that our board would approve a project that would result in significantly higher expense to BRC. As a point of comparison, it is my understanding that the State of California has contributed 85% of the funding to smaller railroads for projects of this nature.

However, given BRC's desire to reduce emissions and to indicate to our many neighbors that we take environmental matters quite seriously, we would be willing to pursue the retrofit if the local match remained no higher than 35%.

Thank you for giving BRC the opportunity to comment and please contact me if you have any further questions regarding our position.

Sincerely,


Timothy E. Coffey

cc: Mr. David Brady, President
Village of Bedford Park
P. O. Box 128
6701 Archer Avenue
Bedford Park, IL 60501